

Forging Unity through Crisis: The Strategic
Potential of a Common European Defence
Against Transnational Terrorism

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Introduction

I. The problem: cross-border terrorism and a fragmented response

On the morning of March 11, 2004, ten improvised explosive devices detonated almost simultaneously on four commuter trains heading to Madrid's Atocha station during rush hour, killing 193 people and injuring over 1,800. It was Europe's deadliest jihadist attack to date, the first major operation claimed by al-Qaeda affiliates on the continent. Subsequent investigations revealed that the perpetrators were not isolated fanatics acting spontaneously within Spain's borders, but rather were part of a transnational network spanning Morocco, Spain, Belgium, Italy, and France financed in part through drug trafficking and ideologically aligned with al-Qaeda's global jihadist agenda.

Eleven years later, on the evening of November 13, 2015, 10 operatives affiliated with the Islamic State carried out nearly simultaneous attacks in six locations between Paris and Saint-Denis,

massacring 130 people at the Bataclan concert hall, on café terraces, and outside the Stade de France. The network responsible had planned the attack in at least four member states (Belgium, France, Germany, and the Netherlands), exploiting the open borders of the Schengen Area to move personnel, weapons, and explosives with a freedom that national security architectures were structurally incapable of monitoring. Four months later, on March 22, 2016, the same operational cell carried out coordinated suicide attacks at Zaventem airport and the Maelbeek metro station in Brussels, killing 32 civilians and wounding over 340 in the administrative heart of the European Union.

Regardless of the scale and lethality of the attacks, these three events share common features that make them analytically inseparable. In any case, terrorist networks have operated with a coherence, mobility, and resilience that have systematically transcended national jurisdictions. They have recruited across borders, financed operations through transnational criminal markets, exploited legal asymmetries between member states, and returned from conflict zones in Syria and Iraq as agents equipped with military-grade capabilities. Yet the European security architecture has remained a mosaic of twenty-seven national systems linked by voluntary cooperation mechanisms, shared databases with uneven coverage, and intergovernmental agreements that have functioned reactively but struggled to operate pre-emptively.

This contrast, characterized by a structurally post-national threat clashing with a response that remains stubbornly state-centric, constitutes the analytical core of this work. In the twenty years since Madrid, the European Union has built a sophisticated apparatus within the Area of Freedom, Security and Justice: Directive 2017/541/EU has harmonized the definition of terrorist offences among Member States; the European Arrest Warrant has transformed extradition procedures; Europol's European Counter-Terrorism Centre and Eurojust have intensified information sharing and judicial coordination. Nevertheless, as the attacks in Brussels demonstrated, these instruments have produced a technical improvement in intergovernmental cooperation without, however, calling into question its underlying logic.

Meanwhile, the debate on European defence integration has accelerated significantly. The adoption of the Strategic Compass in 2022, the development of the Rapid Deployment Capability, and new industrial strategies have transformed the idea of a common defence from a theoretical hypothesis to an operational one. Within this framework, jihadist terrorism is often invoked as an existential challenge to legitimize deeper integration. An implicit causal link emerges. The transnational nature of the threat and the failure of national systems would logically require a shift to an integrated supranational response.

This thesis subjects this inference to systematic scrutiny. Although the causal chain appears rhetorically convincing, it has not yet been subjected to an integrated and thorough analysis. Academic studies on European counterterrorism have primarily developed within the framework of Justice and Home Affairs, focusing on judicial cooperation, intelligence-sharing mechanisms, and border management tools. In contrast, the literature on the Common Security and Defence Policy has primarily focused on external crisis management, strategic autonomy, and relations between the EU and NATO. These two lines of research have evolved in parallel, without consistently addressing whether military integration can significantly impact internal security. This paper aims to contribute to this debate by exploring the intersection between these fields.

II. Research question and its meaning

The central research question guiding this investigation is: *To what extent could the establishment of a unified European defence force strengthen the Union's capacity to prevent and counter jihadist terrorism?* The research question avoids value judgments or immediate feasibility. Rather, it asks whether the link between military integration and counterterrorism effectiveness is strong enough to justify the profound constitutional transformation required for a common defence.

The question has profound analytical value on three distinct levels. On a descriptive level, it is necessary to define the true nature of jihadist terrorism in Europe to establish whether the threat is intrinsically transnational or, conversely, stems from internal criticalities that national systems can still address. On a prescriptive level, the investigation must determine whether a common defence can effectively remedy current failures and what the cost would be in terms of constitutional order, democratic accountability, and civil liberties. Finally, on a theoretical level, the question clarifies the conditions under which the integration of sovereign sectors, such as defence, is functionally necessary rather than solely driven by political expediency.

In order to exploit the survey accurately, the central question is disaggregated into three analytical sub-questions:

The first one concerns **the ontology of threat**: It is necessary to establish whether jihadist terrorism in Europe is an intrinsically post-national phenomenon, characterized by cross-border networks and external directions, or a set of locally rooted dynamics in which the international dimension remains secondary. Defining this nature allows us to understand whether the gap between threat and response is a structural deficit or a simple coordination problem.

The second concerns **the legal-institutional framework**: The question is whether the current Treaties allow for the operational integration of defence through Articles 42-46 TEU, PESCO and the solidarity clauses, or whether the constitutional constraints on national sovereignty and the requirement of unanimity make a formal revision of the Treaties necessary.

The third concerns the **“functional analysis and related risks”**: The aim is to identify what functions a European defence force could realistically perform against terrorism and what structural dangers would arise from such an evolution, especially with regard to the militarisation of internal security and the democratic deficit.

III. Methodology

This thesis adopts a multidisciplinary approach that combines legal analysis, security studies, and comparative empirical research. Since the research simultaneously engages constitutional law, strategic logic, and the sociology of political violence, no single discipline would be sufficient. The integration of these diverse perspectives, while requiring methodological rigor to ensure coherence, is essential to ensure the robustness of the conclusions.

Comparative analysis of case studies

The research is based on a comparative analysis of three case studies selected for their theoretical and documentary relevance: Madrid (2004), Paris (2015), and Brussels (2016). Each case illustrates a specific phase in the evolution of jihadism in Europe. Madrid represents the pre-ISIS paradigm, characterized by hybrid networks linked to al-Qaeda that combined local radicalization and criminal logistics. Paris embodies the pinnacle of the Islamic State's centralized leadership, with military-style operations conducted by fighters trained in Raqqa. Brussels, on the other hand, highlights the persistence of systemic vulnerabilities, as the attack was carried out by the same Paris network at the institutional heart of the Union, despite recently adopted reforms.

Each case is examined through six analytical dimensions, including the threat profile, tactical rationale, radicalization pathways, national responses, European cooperation mechanisms, and legislative impact. This approach allows us to identify recurring structural patterns beyond individual episodic failures. The investigation draws on a solid documentary base, including Spanish and Belgian parliamentary inquiry reports, criminal judgments, Europol reports, and the scholarly contributions of scholars such as Reinares, Brisard, Coolsaet, and Renard.

Legal-constitutional analysis

The second methodological pillar consists of a systematic analysis of EU primary law. Chapter 3 examines the architecture of the CSDP (Articles 42-46 TEU) in light of the principles of conferral of competences, the safeguarding of essential State functions, and mutual assistance and solidarity clauses.

The research evaluates three models of defence forces, rapid coordination, permanent multinational integration, and a federal army, and verifies their compatibility with the existing Treaties. This approach avoids both considering integration constitutionally impossible, ignoring the potential of current instruments, and overestimating existing law through forced interpretations. The study draws on the case law of the Court of Justice on Article 4(2) TEU and on the doctrinal contributions of authors such as Koutrakos, Peers, and Cremona.

Theoretical framework

The theoretical framework of the research is articulated through three interconnected analytical lenses, intended as interpretative tools rather than rigid predictive schemes.

The Copenhagen School's securitization theory allows us to deconstruct the discursive process that elevates terrorism to an existential threat in order to justify exceptional measures. The approach here is critical: it analyses whether defence integration is a functional response to the threat or whether it serves as a rhetorical tool to legitimize emergency governance.

Marks and Hooghe's multilevel governance contextualize the EU as a polycentric space, which helps explain why counterterrorism cooperation retains an intergovernmental character despite the integration achieved in other sectors.

Finally, the theory of constitutional limits provides the conceptual rigor necessary to distinguish between the gradual evolution of existing law and the qualitative transformation that would require a formal revision of the Treaties. This theoretical tripartite distinction is essential to assess

whether the response to the transnational threat can be achieved within the current legal framework or requires a constitutional leap.

Sources

This research adopts a doctrinal and qualitative case study methodology, combining normative analysis with empirical security data in order to assess whether the current European Union legal framework allows for deeper operational integration in the field of counterterrorism and defence.

Primary sources consist, first and foremost, of the Treaty on European Union and the Treaty on the Functioning of the European Union, which provide the constitutional basis for the Union's action in the areas of the Common Security and Defence Policy and the Area of Freedom, Security and Justice. Particular attention is devoted to the provisions governing permanent structured cooperation, mutual assistance, solidarity, and the distribution of competences between the Union and the Member States, as these norms define both the possibilities and the structural constraints of further defence integration.

The analysis further examines Directive (EU) 2017/541 on combating terrorism as the central instrument harmonising substantive criminal law and preventive offences across Member States, especially in response to the foreign fighter phenomenon. Council Decision (CFSP) 2017/2315 establishing PESCO and its subsequent implementing measures are considered in order to evaluate the degree of operational coordination achievable within the existing Treaty framework. Strategic documents such as the Strategic Compass of 2022 and the EU Counter-Terrorism Agenda of 2020 are analysed as expressions of the Union's evolving threat perception and political ambition in the field of security and defence.

Empirical support is provided through the annual TE-SAT reports and case law analyses produced by Europol and Eurojust. These materials allow the study to connect normative developments with operational realities, particularly with regard to patterns of transnational terrorism, investigative cooperation, and judicial coordination.

Secondary sources include peer reviewed scholarship in European constitutional law, security and defence integration, and international counter-terrorism law. The doctrinal analysis is complemented by policy studies and strategic assessments produced by leading European research institutes, including the EU Institute for Security Studies, the Egmont Institute, and the International Centre for the Study of Radicalisation, which help situate the legal discussion within broader geopolitical and strategic debates.

IV. Scope of application and limitations

The rigor of the research requires a precise definition of the field of investigation. The dissertation focuses on jihadist terrorism as it represents the most lethal and structurally transnational form of political violence in the European Union. Other extremist origins, such as right-wing terrorism or ethno-nationalist separatism, are addressed in Chapter 2 solely for comparative purposes since the central question of this work concerns the functional correspondence between transnational networks and supranational responses.

Likewise, the relationship between the Union and NATO is only addressed incidentally. The analysis prioritizes the Union's internal constitutional architecture rather than the geopolitical

management of Atlanticist commitments. The focus remains institutional and functional, excluding technical-military assessments of the tactical capabilities of individual member states.

Finally, the research avoids value judgments on the political applicability of European defence. The objective is not to establish whether integration is normatively positive or negative, but to examine whether a common defence force would be functionally effective in addressing the systemic vulnerabilities revealed by the attacks examined. It seeks to ascertain whether the conditions for such an institution are already present in existing law or whether they require a formal revision of the Treaties, postulating that operational effectiveness is the logical prerequisite for any responsible constitutional prescription.

V. Structure of the thesis

The thesis is divided into three interdependent chapters that lead to a final evaluative synthesis.

Chapter 1 analyses the evolution of terrorism in Europe, focusing on the legal and sociological dimensions of global jihadism. By reconstructing historical trajectories, from the ethno-nationalist threats of the 20th century to current hybrid configurations, the chapter investigates whether the transnational nature of the threat makes current intergovernmental coordination structurally inadequate.

Chapter 2 presents a comparative analysis of case studies (Madrid 2004, Paris 2015, Brussels 2016). The investigation finds that the failures observed over two decades are not isolated national shortcomings, but rather the product of a systematic misalignment between a global threat and a fragmented institutional response. A section dedicated to post-2016 developments also examines the resilience of the jihadist phenomenon in the contemporary security landscape.

Chapter 3 addresses the legal and operational dimensions of integration. The first part assesses the compatibility of different defence models with primary law (Articles 42-46 TEU), while the second analyses their potential counterterrorism functions, from external projection to internal crisis management. Finally, the chapter examines the risks of securitization and the democratic deficit associated with this evolution, weighing the added value of common defence against its potential counterproductive effects.

In the Conclusions, the findings are summarized to answer the central research question. The paper outlines an integration agenda based on evidence and functional necessity, rather than political symbolism, establishing the analytical prerequisites for informed institutional design under conditions of uncertainty.

Chapter 1 – The evolution of the terrorist threat in Europe

Introduction

Before examining how European security architecture has failed, any assessment requires an understanding of the threats it has failed to address. This chapter provides the analytical foundation necessary to assess whether terrorism in contemporary Europe constitutes a genuinely

transnational phenomenon requiring supranational responses. Or whether it remains a collection of domestic threats best managed through domestic institutions coordinating when convenient.

The question matters because calls for greater European integration in security and defence inevitably clash with fears of eroding sovereignty and transferring fundamental state functions to Brussels. These concerns are legitimate. If the terrorist threat in Europe were primarily endogenous (limited to radicalisation pathways of individuals attacking within single jurisdictions) strengthening domestic capabilities through voluntary coordination might prove sufficient. But should terrorism take the form of a transnational network capable of exploiting freedom of movement and jurisdictional asymmetries, the persistence of member state internal primacy becomes a structural vulnerability. Hostile actors will systematically exploit it.

It begins with definitions not because taxonomy is intrinsically interesting, but because legal qualification governs which powers states may exercise and which European cooperation instruments become operational. The label "terrorism" activates exceptional authorities as extended detention, specialised surveillance and simplified extradition through the European Arrest Warrant. These would be unavailable for ordinary crimes. When member states classify the same behaviour differently, cooperation collapses precisely when speed matters most. Definitional coherence is therefore an operational prerequisite, not a theoretical nicety. The typologies examined here serve a unified purpose. We must determine whether we face hierarchical organisations or loose networks. This distinction dictates which intelligence methods and preventive interventions will actually work. It also reveals whether international cooperation adds strategic value or simply creates red tape. Consider jihadist networks that operate across borders. They might train abroad, source weapons through international criminal channels, and direct attacks from outside. No single state can monitor such a complex web alone. In contrast, if threats like right-wing extremism remain largely domestic despite online radicalisation, the benefits of deep integration are far more limited

The historical evolution traced in this chapter, from territorially rooted separatist campaigns and Cold War-era ideological violence, through al-Qaeda's advent and the post-9/11 threat environment, to ISIS's foreign fighter mobilisation and the contemporary lone-actor landscape, establishes that European terrorism has transformed fundamentally over fifty years. The ETA, IRA, and Red Brigades were geographically contained, pursued locally comprehensible political

objectives, and could be addressed through national counterinsurgency adapted to specific contexts. Contemporary jihadism operates according to different logic: ideologically universalist rather than territorially bounded, organisationally fluid rather than hierarchically structured, and tactically adaptive in exploiting Europe's openness.

I am aware that this chapter demands patience. Readers seeking immediate engagement with Madrid, Paris, or Brussels may find definitional debates and typological frameworks abstract. Yet without this foundation, the case studies in Chapter 2 risk devolving into narrative accounts of intelligence failures and operational breakdowns. They would miss the structural dynamics that explain why similar failures recur despite post-attack reforms and political commitments to "learn lessons." The fact that Brussels occurred four months after Paris cannot be understood as mere incompetence or bad luck. The same network operated in overlapping geographies despite unprecedented security mobilisation. This reflects systematic features of how Europe organises security. These features become visible only when we understand what contemporary terrorism is, how it operates, and why its characteristics create acute vulnerabilities for fragmented governance systems.

This chapter thus serves as diagnostic prelude. It identifies the nature of the pathogen before we examine the body's failed immune responses. If European terrorism were a collection of discrete national threats, the analysis here would reveal that, and subsequent arguments for integration would founder. If, as the evidence suggests, it operates as genuinely transnational phenomenon whose networks exploit the specific features of European political geography, then the case for reconsidering sovereignty arrangements becomes compelling. The definitions, typologies, and historical evolution presented here are not ends in themselves but tools for determining whether the European Union faces security challenges that its current institutional architecture is structurally incapable of managing.

1.1 Definition of terrorism and why definitions matter in the EU

The purpose of this section is clearly not to collect all the existing definitions of the term "terrorism", since, as discussed below, it has different meanings depending on where it is analysed. Rather, the aim is to clarify why the definition constitutes a decisive legal and operational threshold in the European Union's security system.

Strategic responses to exceptional threats depend on the theoretical framework of the danger. Terrorism, however, resists a simple classification. Decades of academic debates have not yet made it possible to reach a single and universal definition precisely because of its structural diversity and the different forms that the phenomenon can take. The definition therefore has a "gatekeeping" function¹, since it makes it possible to identify which conducts constitute a terrorist crime and consequently which extraordinary investigative tools can be activated. It also lays down the conditions for the activation of protocols on judicial cooperation and mutual assistance between the Member States². The early punishment of preparatory acts such as recruitment, training and public glorification³, which ordinary criminal law does not provide,⁴ is also legitimate.

In the EU security system, a precise definition is therefore indispensable first and foremost for operational reasons. The legal qualification of the terrorist crime is what activates the principle of mutual recognition on which, for example, the European Arrest Warrant⁵ (EAW) is based. In fact, without a common definition, the EAW cannot guarantee the speed in the procedures for the surrender of suspects for which it was conceived. Similarly, the definition establishes the scope of action of agencies such as Europol and Eurojust, authorising them to mobilise resources to coordinate cross-border investigations and share intelligence information. However, the impact goes beyond the strictly legal aspects as if domestic authorities classify attacks with different criteria, European statistics suffer resulting in inconsistent data that distorts the analysis of trends⁶ and thus prevents the Union from correctly assessing the threat and allocating resources where they are really needed. The practical consequences of this misalignment are therefore evident: the same behaviour could be pursued as "terrorism" in one state and declassified as simple "public

¹ Alex P. Schmid, *The Definition of Terrorism*, London, Routledge, 2011; Ben Saul, *Defining Terrorism in International Law*, Oxford, Oxford University Press, 2006.

² European Parliament and Council of the European Union, Directive (EU) 2017/541 of 15 March 2017 on combating terrorism and replacing Council Framework Decision 2002/475/JHA and amending Council Decision 2005/671/JHA, *Official Journal of the European Union*, L 88, 31 March 2017.

³ Vassilis Mitsilegas, *EU Criminal Law after Lisbon*, Oxford–Portland (OR), Hart Publishing, 2016.

⁴ International Commission of Jurists (ICJ), *Assessing the Compatibility of Counter-Terrorism Measures with Human Rights: A Practitioner's Guide*, Geneva, ICJ, 2021.

⁵ Council of the European Union, Framework Decision 2002/584/JHA of 13 June 2002 on the European arrest warrant and the surrender procedures between the Member States, *Official Journal of the European Communities*, L 190, 18 July 2002.

⁶ Europol, *European Union Terrorism Situation and Trend Report (TE-SAT)*, several years.

disorder" or political protest in another. This discrepancy is not only theoretical since it blocks judicial cooperation, slows down administrative procedures and in general fragments the exchange of information just when maximum speed is needed.

In addition to what has been said above, rigour in this context is also necessary to clearly separate forms of political violence such as guerrilla warfare or national liberation struggle from terrorism itself. Although the tactics may seem the same on the ground, these phenomena respond to different strategic logics and regulatory frameworks⁷. The overlap between these plans entails concrete risks as counter-terrorism strategies could apply penal institutions of an exceptional nature to manifestations of dissent which, although radical, are devoid of the violent connotation necessary for the terrorist offence. This interpretative expansion risks repressing legitimate forms of expression and undermining the democratic accountability of States, an indispensable element for transparent security management⁸.

The use of the term terrorism is never politically neutral because it is rather configured as a powerful tool of stigmatization. The label of "terrorist organization" or "terrorist" triggers serious legal and reputational repercussions ranging from freezing financial assets to diplomatic ostracism. Given the magnitude of these implications, governments often tend to instrumentalize the legal category by shaping its boundaries to make them coincide with their own domestic political priorities or specific geopolitical interests. Let's take the case of the Muslim Brotherhood as an example. While Egypt and Saudi Arabia have designated the group as a terrorist organization (in 2013 and 2014 respectively) in order to dismantle its social and financial networks, countries such as Bahrain and Kuwait continue to consider it as a legitimate political interlocutor inserted into parliamentary dynamics⁹. This normative discrepancy does not arise from a different analysis of the use of violence, but rather from opposing national interests with respect to the role of political Islam in the respective power structures¹⁰. A similar dynamic

⁷ Boaz Ganor, "Defining Terrorism: Is One Man's Terrorist Another Man's Freedom Fighter?", *Police Practice and Research*, vol. 3, no. 4 (2002), pp. 287–304.

⁸ Kent Roach, *The 9/11 Effect: Comparative Counter-Terrorism*, Cambridge, Cambridge University Press, 2011; European Court of Human Rights, *Zana v. Turkey*, 25 November 1997; European Court of Human Rights, *Gözel and Özer v. Turkey*, 6 July 2010.

⁹ Kristin Smith Diwan, "The Future of the Muslim Brotherhood in the Gulf," POMEPS Studies, No. 12, Project on Middle East Political Science, George Washington University, 2015.

¹⁰ International Crisis Group, *Political Islam in the Middle East*, various reports.

emerges in the United States where the ambiguity of the definition has generated dangerous gaps in interpretation, ending up fuelling systemic prejudices within government agencies. These biases have caused an operational delay in countering emerging threats. In fact, between 2015 and 2020, even though supremacist and far-right attacks had exceeded jihadist attacks in number and lethality, federal authorities struggled to recognize their nature. This inertia was determined by what analysts describe as post-9/11 cognitive bias, which tends to automatically associate the concept of terrorism with Islamic extremism, declassifying the violence of the internal extreme right as common crime episodes¹¹. Only the assault on the Capitol on January 6, 2021, forced a paradigm shift¹², legitimizing the adoption of repressive measures against networks such as QAnon, previously protected by a strict interpretation of protections on freedom of expression.

These cases show how the definition of terrorism does not only respond to an analytical need but represents a real political act. By drawing this dividing line, States determine who to subject to exceptional legal regimes and who to leave within the perimeter of ordinary law. Effective legislation must therefore be able to isolate the specificities of the terrorist phenomenon, since it does not represent simple crime but a direct challenge to the state monopoly of force, implemented through the instrumental use of terror for political ends.

In the absence of a universally binding international definition, states have predominantly resorted to domestic legal systems to regulate and suppress terrorist activities. This fragmentation paradoxically intensified after the attacks of 11 September 2001, when the UN Security Council, acting under Chapter VII of the Charter of the United Nations, required member states to adopt national measures to counter the terrorist threat without providing an unambiguous qualification of the phenomenon. Attempts to pass a Global Convention on Terrorism in the General Assembly have run aground on ongoing divergences regarding the legitimacy of national liberation movements and the applicability of international humanitarian law in asymmetrical conflicts¹³.

¹¹ Centro Studi Internazionali (CeSI), *The evolution of the jihadist and far-right threat 2015–2020*, Rome, CeSI, 2021, spec. p. 33.

¹² Christopher A. Wray, *Oversight of the Federal Bureau of Investigation: The January 6 Insurrection, Domestic Terrorism, and Other Threats*, Testimony before the U.S. Senate Committee on the Judiciary, 2 March 2021, available on the FBI's official website. <https://www.fbi.gov/news/speeches-and-testimony/oversight-of-the-federal-bureau-of-investigation-the-january-6-insurrection-domestic-terrorism-and-other-threats>

¹³ Alex P. Schmid, "Defining Terrorism," *ICCT Research Paper*, The Hague, International Centre for Counter-Terrorism, 2023.

Despite the diplomatic stalemate, a certain degree of regulatory coordination has been consolidated using regional instruments and sectoral conventions. Resolution 49/60 (1994) of the United Nations General Assembly¹⁴ qualifies terrorism as the set of those "criminal acts intended or calculated to provoke a state of terror in the general public, in a group of persons or in particular for political purposes", reiterating the absolute unjustifiability of such conduct, regardless of considerations of a political, philosophical, ideological, racial, ethnic, or religious basis adopted to legitimize them. Subsequently, Security Council Resolution 1566 (2004)¹⁵ outlined a more stringent operational language, describing terrorism as the use of "criminal acts, including those against civilians, committed with intent to cause death or serious bodily injury, or hostage-taking, with the purpose of causing a state of terror in the general public or in a group of persons or in certain persons, intimidate a population or force a government or an international organization to perform or refrain from any act". Although they have no direct legislative effect, they have served as a model for the *de facto* harmonisation of national legislation, guiding the drafting of domestic criminal laws.

The European Union has overcome this fragmentation by choosing the path of binding regulatory harmonization. Through an ambitious approach, Brussels has established a uniform legal framework aimed at harmonising definitions and offences across Member States. The turning point is Directive (EU) 2017/541¹⁶ which replaced the previous Framework Decision 2002/475/JHA,¹⁷ consolidating a definition of terrorism based on a double track of typicality in Article 3(1)¹⁸. On an objective level, the rule lists an exhaustive series of serious criminal conduct:

- Attacks on a person's life that can cause death;
- Attacks on a person's physical integrity;

¹⁴ United Nations General Assembly, Resolution 49/60, *Measures to Eliminate International Terrorism*, A/RES/49/60, 9 December 1994;

¹⁵ United Nations Security Council, Resolution 1566 (2004), S/RES/1566 (2004), 8 October 2004.

¹⁶ European Parliament and Council of the European Union, Directive (EU) 2017/541 of 15 March 2017 on combating terrorism and replacing Council Framework Decision 2002/475/JHA and amending Council Decision 2005/671/JHA.

¹⁷ Council of the European Union, Framework Decision 2002/475/JHA of 13 June 2002 on combating terrorism.

¹⁸ European Parliament and Council of the European Union, Directive (EU) 2017/541, art. 3, par. 1;

- Kidnapping or taking of hostages;
- Cause extensive destruction to a government or public facility, infrastructure system, or public place, possibly endangering human lives or causing severe economic loss;
- Seizure of aircraft, ships or other means of public transport;
- Production, possession, acquisition, transport or supply of weapons, explosives or chemical, biological or nuclear materials;
- Release of dangerous substances or cause fire, flood or explosion that endangers human life;
- Interfere with or disrupt the supply of water, energy, or other critical natural resources, endangering human life.

In order for such conduct to become "terrorism", there must be the subjective element, i.e. specific intent aimed at one of these three purposes:

(a) seriously intimidate a population;

(b) unduly compel a government or international organization to perform or refrain from any act;
or

(c) seriously destabilize or destroy the fundamental political, constitutional, economic or social structures of a country or international organization.

This structure reflects a precise conception of terrorism: not mere physical violence, but a strategy of psychological coercion aimed at altering the established order.

The real innovative scope of Directive 2017/541, however, lies in the shift of the center of gravity of sanctions towards the preventive phase. To fill the gaps that emerged with the phenomenon of foreign fighters (2012-2016), the legislation criminalises a wide range of preparatory and ancillary conduct. Recruitment, training, and even "apology" (public provocation) is configured as autonomous crimes, unrelated to the actual execution of an attack. Finally, the introduction of the crime of "travel for terrorist purposes" implements the obligations of UN Resolution 2178

(2014)¹⁹ remedying the regulatory vacuum that had guaranteed substantial impunity to thousands of European citizens heading to the Syrian Iraqi theaters of conflict.

The framing of conduct in the terrorist case triggers a complex sequence of legal and operational consequences. Procedurally, this empowers national authorities to use special investigative techniques and asset freezing measures that would be precluded or limited for common crimes. At the same time, cross-border cooperation is intensified: access to security databases, such as the Schengen Information System (SIS II), becomes immediate while judicial coordination tools, first and foremost the Joint Investigation Teams (JITs), become fully operational. The impact continues in the trial and enforcement phase. The terrorist nature of the crime drastically simplifies the procedures of passive surrender through the European Arrest Warrant (often eliminating the requirement of double criminality) and accelerates the cross-border gathering of evidence through the European Investigation Order. As for the sanctioning plan, the Directive imposes a tightening of the legal frameworks and introduces specific aggravating circumstances, with the aim of neutralizing the phenomenon of *forum shopping* and preventing regulatory asymmetries between Member States from offering procedural advantages to suspects²⁰.

At the institutional level, the classification of the crime activates the intervention of European agencies. Europol and Eurojust play a central role as liaisons. Through the European Counter-Terrorism Centre (at Europol) and the Judicial Counter-Terrorism Register (at Eurojust), they operate the so-called *deconfliction*, cross-referencing information flows to bring out hidden links between apparently isolated criminal proceedings. The effectiveness of this architecture was demonstrated by the speed with which the logistical network of the 2015 Paris attacks was rebuilt, marking a qualitative leap in operational integration compared to the previous decade²¹.

¹⁹ United Nations Security Council, Resolution 2178 (2014), *Threats to international peace and security caused by terrorist acts*, S/RES/2178 (2014), 24 September 2014.

²⁰ Council of the European Union, Framework Decision 2002/584/JHA on the European Arrest Warrant; European Parliament and Council of the European Union, Directive 2014/41/EU on the European Investigation Order in criminal matters; European Parliament and Council of the European Union, Regulation (EU) 2018/1862 on SIS II; Eurojust, *Joint Investigation Teams – Practical Guide*.

²¹ European Parliament and Council of the European Union, Regulation (EU) 2016/794 on Europol; Europol, *European Counter Terrorism Centre (ECTC): Mandate and Activities*; Eurojust, *Counter-Terrorism Register: Annual Report*.

Finally, the qualification of terrorism transcends the technical dimension to take on a constitutional and strategic value. Article 222 TFEU²² (Solidarity Clause) commits the Union and the Member States to the joint mobilisation of all resources, including military resources, in the event of a terrorist attack. France's appeal in 2015, to art. 42(7) TEU²³ (Mutual Assistance Clause), by equating the terrorist attack with an external armed aggression, Paris elevated the threat to the rank of a matter of collective defence. This precedent has revealed not only the flexibility of the treaties but also the political ambiguity that still remains on the choice between instruments of internal solidarity and common defence mechanisms in the face of modern terrorism.

Despite the formal harmonization effort introduced by Directive 2017/541, systemic vulnerabilities persist when Member States transpose the Common Definition incompletely or inconsistently or when they delay its implementation. In its evaluation report (COM(2020) 619),²⁴ the European Commission highlights as a recurring criticality the incomplete or incorrect transposition of the cases of art. 3, in particular the cases in which national laws fail to classify as terrorist acts that have the typical purposes provided for by EU law. This asymmetry is not only formal, in fact, the Commission reiterates that an unambiguous qualification is the prerequisite for the effective use of the tools of cooperation and exchange of information between national authorities. In other words, if the same conduct does not receive the same legal label everywhere, the operational automatism of the EU framework loses its effectiveness, generating jurisdictional friction and misalignments in investigative priorities.

From this point of view, the case of relations between Spain and some European partners during the ETA terrorism season illustrates the problem. For decades, Madrid has expressed deep frustration with judicial cooperation considered insufficient, with the persistence of *de facto* refuge areas abroad, and with the resistance of neighbouring states to the surrender/extradition of Basque militants. This Spanish political pressure was the main catalyst for the overcoming of

²² Treaty on the Functioning of the European Union, Art. 222.

²³ Treaty on European Union, Art. 42(7).

²⁴ European Commission, *Communication from the Commission on the EU Security Union Strategy*, COM(2020) 605 final, 24 July 2020.

the 'political crime' clause and for the development of simplified surrender tools, culminating in the adoption of the European Arrest Warrant²⁵.

In short, definitional fragmentation produces concrete operational dysfunctions that modern terrorist networks, characterized by mobility and recruitment, are structurally predisposed to exploit. When national interpretations diverge, jurisdictional boundaries are transformed into tactical opportunities for criminal groups. The definition of the phenomenon is therefore configured as a functional requirement even before being theoretical because without a shared perimeter the collective response risk fragmenting in the face of an intrinsically transnational threat.

As legal qualification governs access to law enforcement tools, the taxonomies examined in the next section have immediate operational value. The categories used by the Union to classify matrices and tactics do not serve a mere descriptive purpose, but orient strategic priorities, govern the allocation of intelligence resources and shape the preventive architecture of the Member States.

1.2 Typologies of terrorism as tools for assessing EU threats

Understanding contemporary terrorism requires first the ability to classify its manifestations. For European security agencies, called upon to operate in a scenario characterized by stratified and constantly changing threats, typological frameworks represent essential tools for translating complexity into manageable analytical categories.

By structuring information and isolating recurring patterns, such systems allow fragmented empirical data to be transformed into operationally relevant knowledge²⁶. In the European Union made up of 27 different national security systems, the adoption of a shared lexicon is the necessary condition for effective cooperation. Terrorism is distinguished from other forms of political violence by its intrinsically communicative nature because it specifically aims to spread

²⁵ Sibel Top, *The Political Offence Exception Clause to Extradition in Europe*, PhD thesis, Vrije Universiteit Brussel, 2022.

²⁶ P. A. Flemming, Michael Stohl, and Alex P. Schmid, "The Utility of Terrorism Typologies: Lessons and Opportunities," in Alex P. Schmid (eds.), *The Routledge Handbook of Terrorism Research*, London–New York, Routledge, 2011, pp. 158–193.

terror among the civilian population while maintaining a clear separation between the immediate target of the action and the target audience of the message²⁷.

The violent act is therefore configured as a "propaganda by the deed", in which brute force takes on a symbolic value. Through the mass media, violence is amplified to shift the conflict from a physical confrontation to that of psychological warfare²⁸. In this context, the following section examines how the European institutions, in particular EUROPOL, have developed classification models aimed at balancing analytical rigor with the needs of investigative practice, highlighting both their strengths and their inevitable limitations.

1.2.1 Motivation-based typologies

In the annual report on the situation and trends of terrorism (TE-SAT), EUROPOL catalogues terrorist activities according to five macro-categories defined according to the motivation of the perpetrators: jihadist, right-wing, left-wing and anarchist terrorism, ethno-nationalist and separatist, as well as a residual category defined as "other".²⁹ Although the scientific literature debates whether motivation is the most effective classification criterion³⁰, Europol has adopted this approach because of its ability to harmonise heterogeneous security traditions and threat profiles across the 27 Member States.

The usefulness of ideological distinction lies in its ability to shape the operational logic of groups. The different matrices are not simple labels, but determine crucial variables for contrast activity:

- Left-wing and anarchist terrorism: inspired by Marxist-Leninist or revolutionary socialist ideologies aimed at the overthrow of the capitalist system. Although historically relevant during the Cold War (think of groups such as the Italian Red Brigades, the German Red Army Faction and the Shining Path of Peru)³¹ in the contemporary context it manifests a

²⁷ Erica Chenoweth et al. (eds.), *The Oxford Handbook of Terrorism*, Oxford, Oxford University Press, 2019, p. 24.

²⁸ Alex P. Schmid, "Defining Terrorism", *ICCT Research Paper*, The Hague, International Centre for Counter-Terrorism, March 2023, p. 5.

²⁹ Europol, *European Union Terrorism Situation and Trend Report (TE-SAT)*, The Hague, Europol, 2016-2023.

³⁰ Alex P. Schmid, "Frameworks for Conceptualizing Terrorism," in *Terrorism: A Multi-Dimensional Perspective*, Englewood Cliffs (NJ), Prentice Hall, 1983 [1st ed. 1982], pp. 39–98; David C. Rapoport, "The Four Waves of Modern Terrorism," in Audrey Kurth Cronin and James M. Ludes (eds.), *Attacking Terrorism: Elements of a Grand Strategy*, Washington, D.C., Georgetown University Press, 2004, pp. 46–73.

³¹ P. A. Flemming, Michael Stohl, and Alex P. Schmid, "The Utility of Terrorism Typologies: Lessons and Opportunities," in Alex P. Schmid (eds.), *The Routledge Handbook of Terrorism Research*, London–New York, Routledge, 2011, pp. 158–193.

lower propensity for lethality than other matrices; comparative studies indicate that left-wing extremists are significantly less likely (about 45%) to produce fatal outcomes in their actions³² than right-wing radicals.

- Right-wing terrorism: It is characterized by ultranationalism, supremacism, xenophobia, anti-communist extremism, and anti-government sentiments³³. Empirical evidence suggests that right-wing extremism is often associated with more dogmatic cognitive structures and target selection oriented towards people (minorities, immigrants, political opponents) rather than institutional symbols³⁴. Attacks perpetrated by right-wing extremists are significantly more frequent and lethal in the contemporary context³⁵.
- Terrorism of religious origin (Jihadist): It currently represents the predominant pattern of political violence in the modern world, especially after the attacks of September 11³⁶. It is motivated by the belief that theological mandates justify violent means³⁷. The literature notes that attacks by jihadist extremists are 131% more likely to cause casualties than right-wing extremists³⁸. This gap does not stem from the fact that jihadist terrorists are inherently more violent by nature but rather reflects differences in tactical choices (such as the use of bombs in crowded places), target selection, and a theological narrative that elevates suicide, otherwise prohibited, to the rank of heroic sacrifice or martyrdom. This doctrinal distortion acts as a powerful catalyst for the recruitment and legitimization of extreme violence³⁹.

³² Gary LaFree, Yangyang Jiang, and Laura C. Porter, "A Comparison of Political Violence by Left-Wing, Right-Wing, and Islamist Extremists in the United States and the World," *Proceedings of the National Academy of Sciences (PNAS)*, vol. 119, no. 30 (2022), pp. 1–10.

³³ Paul D. Williams (ed.), *Security Studies: An Introduction*, 3rd ed., London–New York, Routledge, 2018, p. 449;

³⁴ P. A. Flemming, Michael Stohl and Alex P. Schmid, "The Utility of Terrorism Typologies: Lessons and Opportunities", in *The Routledge Handbook of Terrorism Research*, cit., p. 168.

³⁵ Paul D. Williams, *Security Studies: An Introduction*, cit., p. 449.

³⁶ Ibid.

³⁷ Ibid.

³⁸ Gary LaFree, Yangyang Jiang, and Laura C. Porter, "A Comparison of Political Violence by Left-Wing, Right-Wing, and Islamist Extremists...", cit., p. 4.

³⁹ Paul D. Williams, *Security Studies: An Introduction*, cit., p. 169.

- Ethno-nationalist and separatist terrorism: Fuelled by instances of self-determination or territorial resentments and can take various forms: access to greater autonomy, creation of an independent sovereign state (separatism), or incorporation into an existing state with which the group identifies⁴⁰. Unlike religious movements, these groups are sustained by collective memory and territorial grievances, often leading to long-term persistence, as evidenced by the decades-long campaigns of the IRA⁴¹ and ETA⁴².

These ideological foundations directly dictate the targeting strategy. While jihadist groups strike targets with symbolic resonance (churches, synagogues, military installations, cultural venues) to challenge Western values, leftist and anarchist movements focus the offensive against the economic and state apparatus (banks, corporate headquarters, police stations, government buildings).⁴³ These variations are not arbitrary, but are a direct manifestation of the specific tactical logic of each movement⁴⁴.

The mechanisms of radicalization also diverge significantly. In Europe, jihadism often draws on marginalized segments of the urban periphery, involving mainly second- and third-generation immigrants who face social marginalization and identity crises⁴⁵. Right-wing extremism intercepts the malaise of parts of the native population who perceive demographic changes through the lens of the so-called "*Great Replacement*".⁴⁶ On the contrary, left-wing radicalism continues to find support within academic and countercultural circles⁴⁷. These divergences require differentiated prevention strategies since, for example, effective community policing in multicultural neighbourhoods would be completely inadequate to intercept online radicalisation in far-right subcultures or rural areas.

⁴⁰ P. A. Flemming, Michael Stohl and Alex P. Schmid, *The Routledge Handbook of Terrorism Research*, London–New York, Routledge, 2011, p. 166.

⁴¹ Ariel Merari, "Terrorism as a Strategy of Insurgency," in Yonah Alexander (ed.), *Terrorism: Theory, Tactics and Counter-Measures*, New York, Crane Russak, 1977, pp. 332–341.

⁴² Paul Wilkinson, *Terrorism versus Liberal Democracy*, London, Institute for the Study of Conflict, 1986 [also ed. 1987], pp. 15–30.

⁴³ Chalmers Johnson, "Civilian Perspectives on Revolutionary Violence," in *Revolution and Political Violence*, edited by Chalmers Johnson, Berkeley, University of California Press, 1978, p. 274.

⁴⁴ Alex P. Schmid, "Frameworks for Conceptualizing Terrorism", cit., pp. 39–98.

⁴⁵ Marc Sageman, *Understanding Terror Networks*, Philadelphia, University of Pennsylvania Press, 2004.

⁴⁶ Council of Europe, *Report on Emerging Terrorist Threats in Europe*, Committee on Counter-Terrorism (CDCT), Strasbourg, Council of Europe, 2022; Renaud Camus, *Le Grand Remplacement*, Neuilly-sur-Seine, David Reinharc, 2011; Institute for Strategic Dialogue (ISD), *The Great Replacement*, 2022.

⁴⁷ Andrew Burton, *Political Terrorism*, London, Leo Cooper, 1976, pp. 246–247.

Ultimately, Europol's choice to standardise these categories responds to the historical need to overcome institutional incompatibilities. Before the TE-SAT system, the same organization could be classified in divergent ways (e.g., as "separatist" in one state and as "leftist" in another), creating dangerous gaps in databases. While not eliminating the grey areas of *borderline* cases, this methodology has proven the indispensable common ground for intelligence sharing and cross-border cooperation.

1.2.2 Organizational structures and tactical repertoires

The organizational architecture of terrorist entities has undergone a profound evolution, making the analysis of structures a decisive element in assessing their detectability, vulnerability and ability to adapt⁴⁸. The transition from hierarchical organizations to networked models and, more recently, to lone actors without formal support, is an important development in contemporary terrorism⁴⁹.

Historically, formations such as the IRA or the Italian Red Brigades adopted pyramidal structures with defined chains of command, functional specialization and centralized strategic direction⁵⁰. Such configurations eased the execution of sophisticated operations, allowing the coordination of simultaneous attacks across different geographical locations while maintaining operational security through strict compartmentalization. While this allowed for sophisticated and coordinated operations, when the security services managed to arrest senior leaders or penetrate the organization with informants, the entire movement collapsed. The classic counterterrorism approach called "beheading" (the targeted elimination of high-value leadership figures) was designed specifically against hierarchical groups and often achieved success⁵¹.

To mitigate this vulnerability, cellular structures have emerged, autonomous and compartmentalized units that restrict the circulation of information to protect the integrity of the

⁴⁸ Arquilla, John, e David Ronfeldt, a cura di. *Networks and Netwars: The Future of Terror, Crime, and Militancy*. Santa Monica, CA: RAND Corporation, 2001.

⁴⁹ Paul D. Williams (ed.), *Security Studies: An Introduction*, 3rd ed., London–New York, Routledge, 2018, pp. 449–462

⁵⁰ P. A. Flemming, Michael Stohl and Alex P. Schmid, "The Utility of Terrorism Typologies...", cit., pp. 180–185.

⁵¹ Michael Stohl and Michael Stohl, *The Politics of Terrorism*, 3rd ed., Boca Raton, CRC Press, 2020.

group. A further evolution is represented by the network model (*netwar*), theorized by Arquilla and Ronfeldt, in which fluid nodes interact without the need for central coordination. The dynamics of "franchising" adopted by Al-Qaeda post-2001 is a plastic example of this: a central nucleus provides the ideological identity (*branding*), while the tactical execution is delegated to regional affiliates with wide operational autonomy⁵².

The most complex challenge for intelligence today is constituted by lone actors, individuals who undertake independent radicalization paths, often through the consumption of digital propaganda. According to the Council of Europe's Committee of Experts on Counterterrorism (2022), this method is distinguished by the absence of formal links, making detectable traces (interceptable communications, training camps or lists of militants) almost null and void, and by the short time required for the organization of the attack⁵³. Research has found that 43% of these actors are driven by religious ideologies, 33% by right-wing extremism and 24% by single-issue causes⁵⁴.

The concept of "post-organizational terrorism" has taken on an unprecedented centrality with the proliferation of virtual communication platforms, imageboard forums (such as 4chan or 8kun) and encrypted messaging services. This scenario has allowed supremacist and far-right movements to transcend national borders, evolving into a fluid transnational network. In this ecosystem, cooperation no longer takes place through formal hierarchies, but through the sharing of a common "siege mentality" between radicalized individuals scattered across different continents. These subjects do not need direct orders as they exchange narratives, tactics and political manifestos, fuelling a form of leaderless *resistance* based on ideological affinity and mutual inspiration⁵⁵. The ubiquity of modern technology has radically democratized access to extremist ideologies, allowing would-be attackers to immerse themselves in favourable *echo chambers*, regardless of their geographic location or demographic profile. In this context, the terrorist act turned into an interactive media event. It has become an established practice for far-right attackers to broadcast their actions in live streaming on social networks, transforming the massacre into a sort of "video game of death" designed for immediate digital use. This

⁵² Arquilla, John, e David Ronfeldt, a cura di. *Networks and Netwars: The Future of Terror, Crime, and Militancy*. Santa Monica, CA: RAND Corporation, 2001.

⁵³ Consiglio d'Europa. *Report on Emerging Terrorist Threats in Europe*. Strasburgo: Committee on Counter-Terrorism (CDCT), 2022.

⁵⁴ *Ibid.*

⁵⁵ *Ibid.*

gamification of terror⁵⁶ is accompanied by the publication of programmatic manifestos that are not only intended to explain the gesture, but to act as real "radicalization manuals" for future emulators.

The case of Brenton Tarrant, author of the Christchurch massacre in 2019, is the watershed of this dynamic. Tarrant did not limit himself to live-streaming the massacre, but used his equipment as a narrative surface, engraving the names of other historical extremists, including the Italian Luca Traini, on the magazines to reiterate his belonging to a global genealogy of violent dissent. This chain of emulation found tragic continuity in Payton Gendron (Buffalo, 2022), who, before striking, released a 180-page document focused on the theory of "ethnic replacement" (*Great Replacement*), decorating his weapons with neo-Nazi mantras and explicitly paying homage to his predecessors⁵⁷.

The phenomenon also shows a worrying vitality in the European context. In October 2023, in Bratislava, a nineteen-year-old opened fire on a bar frequented by the LGBTQ+ community, preemptively publishing an anti-Semitic and homophobic manifesto in which he openly identified with Gendron's aesthetics and logic. Almost simultaneously, in Puglia, the arrest of a young man radicalized exclusively through *online* channels confirmed that the neo-Nazi threat no longer requires physical bases or direct contact with structured cells. These episodes demonstrate how radicalization has become decentralised⁵⁸ as the network acts as a connective tissue that allows isolated individuals to feel part of a "virtual army", where each successful attack acts as a catalyst for the next, in a spiral of self-reported violence that challenges conventional paradigms of monitoring and prevention⁵⁹.

⁵⁶ On the use of game dynamics and *live-streaming* to maximize propaganda impact, see Shabana Lakhani and Stefan Wiedlitzka, "The Gamification of Violent Extremism", *RAN Policy Support*, European Commission, 2022. The authors analyze how the aesthetics of the Christchurch and Buffalo attacks mimicked the "Let's Play" videos, turning victims into "targets" to dehumanize them.

⁵⁷ On the abuse of new technologies (AI, gaming platforms, E2EE) for recruitment and planning, see Council of Europe, *Report on the Emerging Patterns of Misuse of Technology by Terrorist Actors*, Strasbourg, Council of Europe, 2025.

⁵⁸ Graham Macklin, "The Christchurch Attacks: Livestreaming Terror in the Digital Age," *CTC Sentinel*, vol. 12, No. 6 (2019). The author coins the concept of the "online extremist ecosystem" to describe how digital communication promotes a rapid internationalization of right-wing terrorism.

⁵⁹ Europol highlights how far-right lone actors, radicalised predominantly online, represent a priority challenge for the EU's security. Europol, *European Union Terrorism Situation and Trend Report (TE-SAT)*

In the analysis of the European threat, five tactical categories are predominant⁶⁰:

1. Improvised Explosive Devices (IEDs): They are still the most lethal mode due to the potential for indiscriminate slaughter (e.g. Madrid 2004, Manchester 2017).
2. Coordinated firearm attacks: Complex operations that require planning and training, aimed at maximizing the number of casualties and creating prolonged standoffs with law enforcement (e.g., Paris 2015, modelled after the 2008 Mumbai attacks).
3. Suicide attacks: Tactic of choice for jihadist groups, whose psychological impact is devastating as it nullifies the effectiveness of conventional deterrence, signalling a total indifference of the aggressor towards his own survival.
4. Improper weapons (vehicles and bladed weapons): "Low technological threshold" tactics, difficult to intercept because they use everyday tools to hit *soft targets*.
5. CBRN (Chemical, Biological, Radiological, and Nuclear) Threats: Although rarer and technically complex, they are still a strategic priority due to their catastrophic potential.

Suicide attacks remain the most extreme expression of asymmetrical warfare, historically adopted by heterogeneous formations such as the Tamil Tigers (LTTE), Hamas and various acronyms of global jihadism. The determinants of this choice are many: from the desire for martyrdom to personal revenge, up to the feeling of immolation as the only means of redemption against a military occupation or systemic political oppression⁶¹.

At the same time, starting in 2016, there has been the rise of low-tech tactics, such as the use of vehicles as *vehicle-ramming* weapons. The attacks in Nice, Berlin, Barcelona and Stockholm have shown the effectiveness of this method, which does not require specialized training but guarantees a high lethal impact, making it the choice for lone actors with limited resources.

2024; Europol, *European Union Terrorism Situation and Trend Report (TE-SAT) 2023*; Start InSight, *4th Report on Terrorism and Radicalisation in Europe (REACT 2023)*, 2023.

⁶⁰ Europol, *European Union Terrorism Situation and Trend Report (TE-SAT)*, 2017 and 2018 editions introduced and formalized the distinction between "high-complexity" attacks (coordinated firearms/explosives) and "low-tech attacks", such as *vehicle-ramming* and stabbings.

⁶¹ Robert A. Pape, *Dying to Win: The Strategic Logic of Suicide Terrorism*, New York, Random House, 2005; Pape is the scholar who theorized the link between military occupation and suicide terrorism, citing the Tamil Tigers (LTTE) as pioneers of the tactic, for the distinction between nationalist and religious motivations (Hamas vs Global Jihadism).

Similarly, assaults with bladed weapons, although statistically less lethal, are almost impossible to prevent by conventional security measures, fuelling a sense of widespread vulnerability due to their unpredictability and the 'intimate' nature of the violence exercised⁶².

The fundamental analytical intuition lies in recognizing the two-way correlation between organizational structure and tactical capacity⁶³. Hierarchical groups have the *know-how* for sophisticated operations but generate 'signatures' (logistical and communicative traces) detectable by *intelligence*. Decentralized networks sacrifice some operational complexity in exchange for greater resilience. Finally, lone actors maximize their operational security by severing all formal ties, but in most cases limit themselves to less ambitious attacks. Although exceptional cases such as the massacres in Norway in 2011 show that a single methodical individual can cause mass casualties⁶⁴, this structural trade-off is still the key parameter for the allocation of resources in counter-terrorism strategies.

1.2.3 Hybrid threat models and convergence

Rigid traditional classifications are challenged by the rise of hybrid threats, which blur conventional boundaries and pose significant obstacles to both *intelligence* analysis and operational response. Two forms of hybridization are particularly influential: the organizational-operational convergence, exemplified by the evolution of ISIS, and the growing intersection between terrorism and organized crime, known as the "crime-terror nexus".⁶⁵

⁶² Europol, *European Union Terrorism Situation and Trend Report (TE-SAT) 2017*, The Hague, Europol, 2017; Paul Gill, John Horgan and Paige Deckert, "Bombing Alone: Tracing the Motivations and Antecedent Behaviors of Lone-Actor Terrorists", *Journal of Forensic Sciences*, vol. 59, no. 2 (2014), pp. 425–435.

⁶³ Marc Sageman, *Leaderless Jihad: Terror Networks in the Twenty-First Century*, Philadelphia, University of Pennsylvania Press, 2008.

⁶⁴ Cato Hemmingby and Tore Bjørgo, *The Dynamics of a Terrorist Targeting Process: Anders B. Breivik and the 22 July Attacks in Norway*, London, Palgrave Pivot, 2016. This study analyzes how a lone actor managed to overcome the limit of "low complexity" through a methodical preparation that lasted years.

⁶⁵ Tamara Makarenko, "The Crime–Terror Continuum: Tracing the Interplay between Transnational Organised Crime and Terrorism", *Global Crime*, vol. 6, no. 1 (2004). For up-to-date data, see Gretchen Peters, *Seeds of Terror: How Heroin Is Bankrolling the Taliban and al-Qaeda*, New York, Thomas Dunne Books, 2009; United Nations Office on Drugs and Crime (UNODC), *Afghanistan Opium Survey 2021*, Vienna, UNODC, 2021.

ISIS stood for a radically new phenomenon not so much for its ideological originality, but for its ability to operate simultaneously on three distinct levels⁶⁶:

1. **State level:** Between 2014 and 2019, the group acted as a **proto-state**, exercising sovereignty over vast territories in Iraq and Syria, managing taxation, courts, and social services for millions of people.
2. **Network Level:** Through a network of formal affiliates (*wilayat*) distributed in over thirty countries, from sub-Saharan Africa to Southeast Asia.
3. **Ideological Level:** Functioning as a global brand capable of mobilizing individuals without any direct organizational contact.

This tripartite structure has generated three threat profiles: direct attacks (centrally planned and highly sophisticated, such as Paris 2015), enabled attacks (carried out by local affiliates with logistical or financial support from the parent company), and inspired attacks (carried out by lone wolves driven exclusively by digital propaganda). The latter are the most complex to intercept, as they lack detectable organizational connections⁶⁷.

The rise of the Islamic State has introduced an unprecedented level of complexity through the mobilization of foreign fighters. Between 2012 and 2016, around 5,000 European citizens travelled to the war theaters in Syria and Iraq to join jihadist groups. These individuals have not only received extreme ideological indoctrination, but have gained concrete combat experience, ability in the use of weapons and urban guerrilla tactics in high-intensity conflict contexts⁶⁸. Their return to Europe has created a *governance* dilemma for the national security services, forced to balance the protection of the community with respect for legal and procedural rights. Monitoring thousands of veterans requires immense human and technological resources, raising questions about their potential danger in the long term. A central issue concerns whether returning fighters

⁶⁶ Fawaz A. Gerges, *ISIS: A History*, Princeton, Princeton University Press, 2016; For the distinction between direct, empowered and inspired attacks, see also Thomas Hegghammer, "The Future of Jihadism in Europe", *Foreign Affairs*, 2016.

⁶⁷ Europol, *European Union Terrorism Situation and Trend Report (TE-SAT)*, The Hague, Europol, editions 2016–2018.

⁶⁸ Thomas Renard and Rik Coolsaet, *Returnees: Who Are They, Why Are They (Not) Coming Back and How Should We Respond?* Brussels, Egmont – Royal Institute for International Relations, 2018. The figure of 5,000 European citizens is confirmed by Europol reports (TE-SAT 2017).

should be regarded as a permanent security threat or as individuals potentially susceptible to deradicalisation and reintegration. Member States' responses have been heterogeneous, ranging between aggressive criminal prosecution strategies and the implementation of multidisciplinary programmes aimed at social rehabilitation⁶⁹.

At the same time, the link between terrorism and organised crime has intensified, transforming from mere opportunistic cooperation into a genuine structural convergence. Having exhausted the traditional state sponsorship, terrorist groups have adopted self-financing models typical of transnational mafias. The Taliban in Afghanistan, for example, derive between 40% and 60% of their revenues from opium trafficking, while jihadist groups in the Sahel act as key players in trans-Saharan cocaine smuggling⁷⁰. ISIS itself, during its territorial control phase, exploited pharmaceutical laboratories for the industrial production of Captagon (fenethylamine), destined for the markets of the Middle East and Europe⁷¹.

The implications of these hybrid threats on security governance are destabilizing. The historically distinct institutional domains of intelligence, criminal police and border control are now obliged to forced cooperation. However, divergent professional culture and often incompatible legal mandates create friction that slows down the common response. The expansion of the spectrum of threats, from proto-state organizations to digital lone wolves, has saturated the analytical capabilities of agencies, making resource allocation a persistent dilemma. Legal frameworks struggle to keep pace with actors that are in a 'grey area' between the Common Criminal Code and special anti-terrorism laws, generating uncertainty about jurisdiction and applicable regimes. Without inter-agency coordination that goes beyond traditional silos, Europe's response risks being still fragmented in the face of a threat that is, by its nature, integrated and transnational⁷².

⁶⁹ Daniel Byman, *The Intelligence War against the Islamic State*, Cambridge, Cambridge University Press, 2019 for the analysis of difficulties in monitoring returning fighters

⁷⁰ Gretchen Peters, *Seeds of Terror: How Heroin Is Bankrolling the Taliban and al-Qaeda*, New York, Thomas Dunne Books, 2009. For data on the percentage of Taliban revenues from opium, see United Nations Office on Drugs and Crime (UNODC), *Afghanistan Opium Survey 2021*.

⁷¹ United Nations Office on Drugs and Crime (UNODC), *World Drug Report 2022*. The report highlights the growth of Captagon traffic as a pillar of the war economy in Syria.

⁷² Christian Kaunert and Sarah Leonard, "The Collective Securitisation of Terrorism in the European Union", *West European Politics*, 2019. for the analysis of institutional tensions between Europol, border agencies and national police.

1.3 The evolution of the terrorist threat in Europe

European terrorism has undergone radical transformations over the last half century, evolving from territorially rooted and organisationally structured phenomena to decentralized, transnational and hybrid threats. Understanding this evolution is essential not only as a historical context, but as a necessary context to understand why the traditional responses of nation states have often turned out to be anachronistic and why intelligence failures have been repeated with worrying regularity and why European integration in security governance has moved from a political option to an operational imperative.

1.3.1 Terrorism in Europe before 11 September: internal and ideologically limited threats

For much of the twentieth century, terrorism in Western Europe ran according to relatively predictable patterns of action dominated by ethno-nationalist and separatist movements. Organizations such as the IRA (*Provisional Irish Republican Army*) in the United Kingdom, the ETA (*Euskadi Ta Askatasuna*) in Spain and the various separatist fronts in Corsica pursued clear territorial aims, namely self-determination, independence or annexation to states with which the communities of reference identified. These campaigns, underpinned by intergenerational community ties and collective memories, have lasted for decades precisely because they are rooted in historical claims rather than apocalyptic or theological instances⁷³.

Secondly, the landscape was marked by left-wing terrorism. Groups such as the Red Brigades in Italy and the RAF (*Rote Armee Fraktion*) in Germany, moved by a Marxist-Leninist ideology aimed at overthrowing the capitalist system, struck at the symbols of economic and state power until the mid-1990s. The literature shows that these formations had a significantly lower propensity to lethality than right-wing or religious matrices, with a probability of producing fatal outcomes reduced by 45%, reflecting a logic of "selective" and demonstrative violence⁷⁴.

Despite the lesser academic attention of the time, right-wing terrorism produced some of the bloodiest episodes of the period. The Bologna massacre of August 2, 1980 (85 victims) and the

⁷³ Michael Flemming, Alex P. Schmid, and Michael Stohl, "The Use of Figurational Analysis," in *Political Terrorism: A New Guide to Actors, Authors, Concepts, Data Bases, Theories, and Literature*, New Brunswick, Transaction Publishers, 2011, pp. 166–168.

⁷⁴ Chalmers Johnson, "Perspectives on Terrorism," *The Journal of Politics*, 1978, p. For the lower lethality figure (45%), see **Gary LaFree, Yangyang Jiang, and Laura C. Porter**, "A Comparison of Political Violence by Left-Wing, Right-Wing, and Islamist Extremists in the United States and the World," *Proceedings of the National Academy of Sciences (PNAS)*, Vol. 119, No. 30 (2022).

attack on the Oktoberfest in Munich (13 victims) represent the culmination of indiscriminate violence. The German case is emblematic: initially dismissed as an isolated gesture of a deranged person, the Munich attack was officially reclassified as "far-right" only in 2020⁷⁵. This delay reveals how the security services' focus on the communist threat during the Cold War had generated a dangerous perceptual asymmetry (or "selective blindness") to neo-fascist and neo-Nazi extremism.

The analysis of historical data reveals a paradox that is often ignored in contemporary public debate. Terrorism in Western Europe between 1970 and 1990 was, in purely quantitative terms, much more lethal than in the period 1990-2015. The year 1988 is the peak of this tragic accounting, with over 425 deaths, of which 270 can be traced back to the attack on Pan Am flight 103 over Lockerbie. The latter event, despite its ferocity, was still part of the logic of state terrorism and geopolitical opposition between blocs, where political violence was often used as a brutal extension of clandestine diplomacy⁷⁶. However, towards the end of the 90s, the European landscape seemed to be heading towards a phase of definitive stabilization. The resolution of historical conflicts took place not only by military means, but through a complex political maturation. The Good Friday Agreement (1998) in Northern Ireland was not only an IRA ceasefire, but a symbol of the ability of democratic states to absorb radical dissent within the rails of electoral participation⁷⁷. At the same time, the formal dissolution of the Rote Armee Fraktion in Germany in 1998 and the exhaustion of the Years of Lead in Italy marked the failure of the Marxist-Leninist ideological project in the face of the consolidation of post-Cold War liberal democracies.

What made pre-2001 terrorism profoundly different and, in a certain sense, less destabilizing for institutional stability was its territorial character and intrinsic organizational limitation. The organizations operated within specific national perimeters and drew on socially and

⁷⁵ Daniel Koehler, *Right-Wing Terrorism in the 21st Century*, London, Routledge, 2022. The author discusses the evolution of the perception of right-wing terrorism in Germany and the overcoming of the thesis of the isolated aggressor.

⁷⁶ Global Terrorism Database (GTD), University of Maryland. Data confirm that the volume of fatal accidents in Western Europe between 1970 and 1988 was not matched numerically by the following decades, except for single catastrophic peaks (Madrid 2004, Paris 2015).

⁷⁷ John Horgan, *The Psychology of Terrorism*, London, Routledge, 2005, p. 112. Horgan discusses how the IRA's political transition marked the end of an era of "organizationally structured" European terrorism.

geographically identifiable recruitment pools⁷⁸. This "local" dimension gave the authorities a strategic advantage since intelligence could make use of traditional investigative methods, such as the infiltration of informants into the communities of reference, the interception of landline telephone communications and the monitoring of permanent logistical bases. Internal security agencies therefore operated within familiar legal and institutional parameters, treating terrorism as a high-profile crime but still internal to the system. The responses of the States remained mostly segregated within national borders, since the threat did not yet possess the cross-border and virtual nature that, shortly thereafter, would make the efforts of the individual security apparatuses obsolete. In this sense, the political violence of the twentieth century was a challenge to state power that the state still had the means to contain, before globalization and the digital revolution disintegrated its lines of defence.

1.3.2 The post-9/11 turning point: the rise of jihadist terrorism in Europe

The attacks of 11 September 2001 against the United States imposed a change in basic assumptions whose implications for European security became increasingly evident in the following decade. Jihadist terrorism has appeared as a genuinely transnational threat, animated not by territorial claims or national liberation struggles, but by a global ideological project based on religious extremism. This vision identifies Western democratic societies as the main target, perceived as the expression of a civilization intrinsically hostile to the dictates of radical Islam. Unlike the separatist movements of the twentieth century, formations such as Al-Qaeda have expressed maximalist goals that would be the overthrow of existing political orders, the establishment of a universal theocratic government and the expulsion of Western influence from Muslim-majority regions⁷⁹.

This new threat configuration diverges from its predecessors in three critical dimensions. First, its reticular structure as jihadism works through widespread transnational networks rather than rigid hierarchical organizations, making infiltration by traditional intelligence methods significantly more complex. Secondly, digital radicalization here the systematic use of modern technology, from the first jihadist forums to social platforms, has made it possible to radicalize individuals beyond geographical borders, regardless of physical contact. Finally, the profile of

⁷⁸ Peter R. Neumann, *Old and New Terrorism*, Cambridge, Polity Press, 2009.

⁷⁹ Marc Sageman, *Understanding Terror Networks*, Philadelphia, University of Pennsylvania Press, 2004; Alan Collins, *Contemporary Security Studies*, Oxford, Oxford University Press, 2018, p. 449.

the militants. The threat does not draw on oppressed populations but on second- and third-generation immigrants born or raised in the West, whose personal frustrations and identity crises are reworked by propaganda in terms of religious duty and "clash of civilizations."⁸⁰

Attack attempts in the early 2000s highlighted the dangerous learning curve of jihadist networks. The case of Richard Reid (2001), the "*shoe bomber*", illustrated the vulnerability of civil aviation, although it failed due to technical limitations. Much more sophisticated was the 2006 transatlantic flight plot, foiled by the British authorities. The plan involved the use of liquid explosives based on hydrogen peroxide disguised as soft drinks. This event led to the introduction of permanent restrictions on flight safety (the 100 ml limit), still in force today. The coordinated attacks in London and Glasgow in 2007 further confirmed the ability to recruit highly qualified professionals (such as doctors and engineers), belying the narrative of the exclusively marginalized and uneducated terrorist⁸¹.

Yet, the European security architecture, designed for an era of territorially delimited threats, has proved fundamentally unprepared for this metamorphosis. The main obstacle lay not only in the lack of means, but in a deep-rooted cultural and political resistance, in fact, the sharing of intelligence remained episodic and partial, often paralyzed by institutional jealousies between apparatuses and by a profound reluctance of European capitals to cede shares of national sovereignty in an area, that of internal security, considered the beating heart of state autonomy. This fragmentation translated into concrete operational vulnerabilities, in effect national databases did not allow to "connect the dots" of threats that developed in one jurisdiction to strike in another⁸². At the same time, traditional legal frameworks showed signs of wear and tear. The preventive nature of modern counterterrorism required the so-called preparatory activities (recruitment, online self-training, anonymous financing) to be targeted, actions that nevertheless struggled to be typified as crimes without affecting the fundamental protections of civil liberties. The dilemma between safeguarding the rule of law and the need for early action became the

⁸⁰ For an analysis of the radicalization of second generations, see Petter Nesser, *Islamist Terrorism in Europe: A History*, Oxford, Oxford University Press, 2016.

⁸¹ On the logistical details of the conspiracies cited, see Robert S. Leiken, *Europe's Angry Muslims: The Revolt of the Second Generation*, Oxford, Oxford University Press, 2012, pp. 201–215.

⁸² On resistance to intelligence sharing, Christian Kaunert, "Europol and EU Counterterrorism: International Security Actorness in the External Dimension", *Journal of European Integration*, vol. 32, no. 4 (2010), pp. 385–403.

terrain of a bitter legal debate that slowed down the creation of a common response. The phenomenon of foreign fighters stood for the definitive breaking point since the discovery that European citizens could go to war theatres, acquire paramilitary skills and return to the territory of the Union by exploiting freedom of movement, laid bare the anachronism of responses based exclusively on national borders⁸³.

In the final analysis, institutional fragmentation was not just a bureaucratic problem, but a threat multiplier. The jihadist actors, structured as dynamic networks, were able to transform the divisions between the member states into their own tactical opportunities, running in the "grey areas" left uncovered by a Europe that struggled to perceive itself as an integrated security space. The European institutions tried to adapt through the Framework Decision 2002/475/JHA, the strengthening of Europol and the adoption of the European Arrest Warrant, but the tragedies of the following years would show that the road to a real supranational governance of security was still long and marked by dramatic human costs⁸⁴.

1.3.3 Major jihadist terrorist attacks in the European Union

Although Europe has known terrorism in different forms for over a century, from the anarchist attacks of the late nineteenth century to the violence of the revolutionary left in the seventies, up to the ethnonationalist campaigns that lasted until the nineties. Nevertheless, the beginning of the twenty-first century marked a qualitative discontinuity as jihadist terrorism went from a marginal phenomenon to the main mode of political violence on the continent, in terms of lethality and persistence⁸⁵.

The Madrid train bombings of March 11, 2004, definitively shattered the illusion of European immunity to mass jihadist violence. Ten coordinated explosions on four convoys, in the middle of the morning rush hour, caused 193 deaths and over 2,000 injured. The operation revealed complex operational planning combined with a declared desire to maximize civilian casualties,

⁸³ Monica den Boer, "Internal Security in the European Union: Governance and Counter-Terrorism", in *The Oxford Handbook of the European Union*, Oxford, Oxford University Press, 2012.

⁸⁴ On the harmonisation of Framework Decision 2002/475/JHA and its limits of application, see Steve Peers, *EU Justice and Home Affairs Law*, Oxford, Oxford University Press, 2011.

⁸⁵ Petter Nesser, *Islamist Terrorism in Europe: A History*, London, Hurst, 2016. Nesser provides a comprehensive historical analysis of the transformation of jihadist terrorism from a fringe phenomenon to a major threat to European security in the 21st century.

configuring the bloodiest Islamist attack ever perpetrated on European soil⁸⁶. The cell responsible, only partially structured, integrated links with the Moroccan Islamic Fighting Group and adherence to the transnational ideology of al-Qaeda, prefiguring the hybrid nature of jihadist networks that would characterize later developments⁸⁷. Although the majority of the perpetrators had lived in Spain for years, public opinion and part of the political debate initially framed the event as an "external" threat, highlighting the difficulty in recognizing the indigenous dimension of the European jihadist phenomenon.

The London bombings of July 7, 2005, dispelled any remaining ambiguity. Four suicide bombers simultaneously struck the subway and a double-decker bus, killing 52 people and wounding over 700. Three of the perpetrators were British citizens of Pakistani origin, the fourth a Jamaican Briton who converted to Islam⁸⁸. The evidence that the jihadist threat could take root within European societies, appearing from endogenous radicalization processes rather than from external infiltrations, took by surprise security apparatuses still mainly oriented towards the monitoring of foreign networks. The services thus found themselves having to develop new methodologies to discern truly dangerous subjects within a much larger population of individuals exposed to extremist propaganda without necessarily translating it into operational planning.

1.3.3.1 The "interlude" period: evolving threat dynamics (2006-2014)

The decade between the London bombings and the Paris offensive of November 2015 has often been interpreted as a phase of relative quiescence, devoid of events with comparable mass casualties. Such a reading has proved to be dangerously misleading. The years 2006-2014 saw structural transformations in the operational methods of jihadist terrorism, in the paths of

⁸⁶ Petter Nesser, *Islamist Terrorism in Europe*, Oxford, Oxford University Press, 2016; The author analyzes the logic of target selection and the political impact on the Spanish elections. See also Richard D. Law, *Terrorism: A History*, Cambridge, Polity Press, 2016, p. 487.

⁸⁷ Europol, *European Union Terrorism Situation and Trend Report (TE-SAT) 2005*, The Hague, Europol, 2005. The report documents the hybrid nature of the Madrid cell, combining links with the GICM and ideological inspiration from al-Qaeda.

⁸⁸ Marc Sageman, *Understanding Terror Networks*, pp. 137–159. Sageman examines the biographical profiles of the London bombers, highlighting the phenomenon of "domestic" radicalization.

radicalization and in the organizational configurations, laying the foundations for later violence and at the same time saturating the preventive capacities of the European services⁸⁹.

The multiplication of foiled or failed plots revealed how the enhancement of surveillance capabilities did not entail a contraction of the threat but rather made its latent extent visible. The shooting at Frankfurt airport on March 2, 2011, which claimed the lives of two U.S. airmen, attested to the ability of self-radicalized individuals, without formal organizational affiliations, to carry out lethal actions anyway⁹⁰. Arid Uka, a German citizen of Kosovar origin, had radicalized himself exclusively through the consumption of online propaganda, predicting a model destined to become dominant. The suicide bombing attempt in Stockholm on December 11, 2010, marked Northern Europe's first confrontation with terrorism-martyrdom. Taimour Abdulwahab al-Abdaly, a Swedish citizen of Iraqi origin who had lived in the United Kingdom for a decade, died from the premature explosion of his bombs in a crowded shopping street⁹¹. The bomber had prepared multiple devices (car bomb, explosive belt, backpack-bomb, pressure cooker device) designed for sequential detonations capable of producing catastrophic victims. His statements, sent to the media and authorities shortly before the action, explicitly linked the violence to the Swedish military presence in Afghanistan and the cartoons of Muhammad published by Lars Vilks in 2007. The episode proved three critical elements: suicide tactics, already consolidated in Middle Eastern theaters, had moved to the European urban space; Scandinavian societies considered stable were now permeable to the jihadist threat; Radicalization via the internet could generate operationally motivated individuals without formal recruitment or training steps.

The sequence of attacks perpetrated by Mohamed Merah between 11 and 19 March 2012 in the cities of Toulouse and Montauban established an operational paradigm destined to profoundly influence European jihadist terrorism in the following decade. In eight days, Merah killed seven

⁸⁹Thomas Hegghammer, "The Future of Jihadism in Europe: A Pessimistic View," *Perspectives on Terrorism*, vol. 10, no. 6 (2016), pp. 156–170. Hegghammer analyses the structural transformations of the period 2006–2014 as the foundation of subsequent violence.

⁹⁰Guido Steinberg, *German Jihad: On the Internationalization of Islamist Terrorism*, New York, Columbia University Press, 2013, p. 7.

⁹¹Aurélie Gendron, "The Stockholm Syndrome and Suicide Attack: The Case of Taimour al-Abdaly", *Studies in Conflict & Terrorism*, vol. 35, no. 12 (2012), pp. 780–795. Detailed analysis of the Stockholm attack and its implications for the territorial spread of terrorism-martyrdom

people through three separate incidents. An off-duty paratrooper shot at point-blank range, two uniformed soldiers shot down in a shopping mall, a rabbi and three children (aged eight, nine and ten) murdered inside the Ozar Hatorah Jewish school. A young French citizen of Algerian origin with a criminal record for common crimes, Merah did not regularly attend places of worship and had become radicalized mainly online, in combination with affiliation with the extremist group Forsane Alizza, which was later prosecuted⁹². Although he had been the subject of surveillance by French intelligence since 2006 on suspicion of providing logistical support to other militants, and despite his documented trips to Afghanistan and Pakistan, the evidence collected was not sufficient to prevent attacks. On a methodological level, Merah introduced innovations systematically replicated by subsequent attackers such as the use of a stolen scooter to ensure tactical mobility, the use of relatively accessible weapons (Colt .45 pistol and Mini-Uzi machine gun), video recording of attacks using a body-mounted camera, foreshadowing the live-streaming logic that emerged in the following years, and the conduct of a campaign prolonged over several days, instead of a single impulsive gesture⁹³. The selection of targets (military personnel and Jewish educational institution) reflected the jihadist ideology's dual focus on state security forces and Jewish communities. The 32-hour siege that ended with his death, in a self-perceived perspective of combative martyrdom, sanctioned the emergence of a "lone wolf" profile characterized by minimal organizational ties and predominantly digital radicalization, difficult to attack through traditional strategies of contrast centered on infiltration, interception of communications and dismantling of logistical structures.

The outbreak of the Syrian civil war in March 2011 and the subsequent rise of the Islamic State produced the largest mobilization of foreign fighters since the Afghan jihad of the 1980s, permanently altering the European threat landscape⁹⁴. Between 2012 and 2016, an estimated 3,922 to 4,294 citizens of member states moved to Syria and Iraq to join jihadist organizations, predominantly ISIS after its meteoric territorial expansion in 2014⁹⁵. France provided the

⁹² Petter Nesser, *Islamist Terrorism in Europe*, cit., p. 9; For the link between Merah and the Forsane Alizza group, see also Jean-Pierre Filiu, *Main basse sur Israël*, La Découverte, 2012, p. 10.

⁹³ Maura Conway, "Determining the Role of the Internet in Violent Extremism and Terrorism," *Studies in Conflict & Terrorism*, vol. 40, no. 1 (2017), pp. 77–98. Conway analyzes the use of video technologies by the attackers for propaganda purposes.

⁹⁴ Peter R. Neumann, *Radicalized: New Jihadists and the Threat to the West*, London, I.B. Tauris, 2016, p. 12.

⁹⁵ International Centre for Counterterrorism (ICCT), *The Foreign Fighters Phenomenon in the European Union*, The Hague, 2016, p. 13.

numerically largest contingent (between 1,200 and 1,500 fighters), followed by the United Kingdom (600-900), Germany (778 documented) and significant contingents from Belgium, the Netherlands, Denmark and Austria. About 30% had returned by 2016, raising acute concerns about combat-hardened operatives, in possession of military training, direct ties to terrorist organizations and psychological commitment forged in real war contexts.

The socio-demographic profile of this cohort had characteristics of concern from a safety point of view⁹⁶. Estimates indicated that between 50% and 80% of European foreign fighters affiliated with ISIS had criminal records, compared to about a quarter of al-Qaeda's historical affiliates, reflecting a deliberate recruitment strategy oriented towards individuals with a history of violence, familiarity with weapons and an aptitude for brutality necessary for internal enforcement roles. In Germany, in particular, 65% of the 778 combatants documented had previous convictions, with more than a third carrying five or more convictions⁹⁷. The fighters included second- and third-generation immigrants, naturalized citizens and converts, with a prevalence of young men under 25, but with an age range that extended from adolescence to middle age. ISIS propaganda exploited the theological innovation represented by the proclamation of the Caliphate in June 2014, reframing the journey to controlled territories as hijra (compulsory religious migration) and thus transforming what could appear to be individual activism into a collectively binding religious duty⁹⁸.

The European security and intelligence institutions quickly grasped the strategic significance of the phenomenon. The EU coordinator for counter-terrorism Gilles de Kerchove already pointed out in 2015 the "worrying trend" represented by returns, while the director of Europol Rob Wainwright highlighted how the veterans had training, combat experience, technical knowledge and operational contacts that configured them as a qualitatively distinct threat compared to the actors radicalized at home but without war experience. UN Security Council Resolution 2178, adopted in September 2014, imposed specific obligations on member states about the prevention of travel for terrorist purposes, the prosecution of recruitment activities and the development of

⁹⁶ Richard Barrett, *Beyond the Caliphate: Foreign Fighters and the Threat of Returnees*, The Soufan Center, 2017.

⁹⁷ Bundeskriminalamt (BKA), *Analyse der Radikalisierungshintergründe und -verläufe*, 2016, p. 15; Basra, Neumann and Brunner, *Criminal Pasts, Terrorist Futures*, ICSR, 2016, p. 14.

⁹⁸ Charlie Winter, *The Rhetoric of the Caliphate: ISIS's Propaganda Strategy*, London, Quilliam Foundation, 2015, p. 16.

rehabilitation programmes. However, European responses remained fragmented due to divergences in national regulatory frameworks, structural deficits in cross-border information exchange and still embryonic, and politically controversial, experimentation of programs for returning fighters⁹⁹.

The shooting at the Jewish Museum in Brussels on May 24, 2014, transformed risk assessments of foreign fighters from abstract assessments into concrete operational evidence¹⁰⁰. Mehdi Nemmouche, a 29-year-old French citizen of Algerian origin, entered the building armed with a Kalashnikov assault rifle and pistol, systematically opening fire on four people (an Israeli couple, a Belgian receptionist from the museum and a volunteer) before leaving the scene. Arrested six days later in Marseille during a routine drug check on a long-distance bus from Amsterdam, he was found in possession of weapons compatible with those used in the attack, a drape bearing ISIS symbols and a video claiming responsibility. The investigations reconstructed a path of radicalization that took place during detention in the French prison system, followed by his departure for Syria in 2013 and his involvement in the custody of Western hostages together with Najim Laachraoui, a future suicide bomber in the attacks on Brussels airport on March 22, 2016. Convicted in March 2019 of terrorist murder, with the court defining him as "not simply radicalized but ultra-radicalized", Nemmouche is the first documented case of an attack in Europe perpetrated by a fighter returning from Syria, definitively showing that the phenomenon represented concrete and not merely theoretical threats. The importance of the attack on the Jewish Museum far exceeded its immediate four victims. In terms of time, the episode preceded the Paris attacks of November 2015 by eighteen months and those of Brussels in March 2016 by less than two years, thus providing a significant early warning about the ability and intention of the returnees to conduct mass operations on European soil. In terms of operational connections, the documented link between Nemmouche and Laachraoui established direct continuity between the 2014 attack and the 2016 attacks, suggesting that the networks of returned fighters kept organizational cohesion and operational coordination across multi-year periods and multiple

⁹⁹ Rob Wainwright, "The European Response to the Global Terrorist Threat", *European Police Science and Research Bulletin*, 2015, p. 17; For a legal analysis United Nations Security Council, Resolution 2178 (2014), S/RES/2178 (2014), p. 18.

¹⁰⁰ Daniel Koehler, "The Jewish Museum Shooting and the Foreign Fighter Threat to Europe", *CTC Sentinel*, vol. 7, no. 11 (2014), pp. 14–17. Koehler analyses the Brussels attack as the first documented case of violence by a returning foreign fighter.

operations. Yet, despite this unequivocal signal, the European security services struggled to develop effective mechanisms for early detection and interdiction for the hundreds of other veterans circulating on the continent.

At the beginning of 2015, the threat framework that would have generated the attacks in Paris and Brussels was fully established. The operating model of the "lone wolf" inaugurated by Merah had been tested and validated. The exodus to Syria had created a cohort of combat-savvy militants with direct ties to ISIS command structures. Returning as *Nemmouche*, they had demonstrated both the ability and the willingness to translate the experience gained into violence on European soil. The intelligence services had to deal with an estimated audience of tens of thousands of radicalized subjects or sympathizers, making continuous surveillance materially impossible. EU coordinator de Kerchove estimated that in 2017 there were more than 50,000 radicals and jihadists in Europe, while the French authorities estimated that 15,000 of the 20,000 individuals on the national threat lists belonged to Islamist movements¹⁰¹. The European counter-terrorism architecture was therefore faced with a systemic inadequacy whose characteristics or rather widespread networks, online radicalization, minimal organizational footprints, exploitation of free movement that precisely exploited the jurisdictional fragmentation and information sharing gaps that continued to characterize the system.

1.3.3.2 The wave of mass casualties: Paris, Brussels and the acceleration of violence by lone actors (2015-2017)

The warning signs that accumulated in the period 2006-2014 materialized in a catastrophic way starting from January 2015¹⁰². The attacks on Île-de-France ushered in a three-year period of violence that culminated in the deadliest jihadist attack in European history, producing a radical transformation in the collective perception of the threat.

¹⁰¹ Randall D. Law, *Terrorism: A History*, Cambridge, Polity Press, 2016, p. 487. Law reports the estimates of the European authorities on the population of radicalized subjects or jihadist sympathizers.

¹⁰² Lorenzo Vidino, Francesco Marone and Eva Entenmann, *Fear Thy Neighbor: Radicalization and Jihadist Attacks in the West*, ICCT-ISPI, 2017.

On January 7, 2015, brothers Saïd and Chérif Kouachi raided the editorial office of the satirical weekly Charlie Hebdo, executing twelve people, including some of the publication's best-known cartoonists, in retaliation for the depictions of the Prophet Muhammad. Two days later, accomplice Amedy Coulibaly assaulted the Hypercacher kosher supermarket, killing four hostages in an action explicitly aimed at the French Jewish community. The sequence highlighted coordination between multiple cells, a relatively sophisticated supply of weapons for the European context and a motivation hinged on the intertwining of perceived blasphemy and anti-Semitism, all elements destined to resurface systematically in subsequent violence.

The Paris attacks of November 13, 2015, marked a turning point in the history of contemporary European terrorism. Nine assailants, predominantly French and Belgian nationals, conducted simultaneous attacks on the Stade de France during an international football match, numerous restaurants and cafes in the tenth and eleventh arrondissements, and the Bataclan theatre during a rock concert, resulting in 130 deaths and over 350 injuries. The operation combined suicide bombings with explosive vests, sustained automatic fire against crowded premises and prolonged hostage-taking, configuring a deliberate strategy of maximizing civilian casualties and saturating the response capabilities of law enforcement. ISIS quickly claimed responsibility, and subsequent investigations demonstrated direct operational links between the perpetrators and the group's command structure in Syria, with several attackers having trained in ISIS-controlled territories before returning to Europe specifically to plan and conduct the operation¹⁰³. The use of permeable internal borders to move between Belgium and France highlighted structural vulnerabilities in the Schengen area, already known to the security apparatus but underestimated politically. For the first time in the history of the Union, France invoked Article 42(7) of the Treaty on European Union, de facto recognising jihadist terrorism as a threat that was no longer exclusively national but to the European security order as a whole¹⁰⁴.

The Brussels attacks of 22 March 2016 (two explosions at Zaventem airport and one at Maelbeek metro station) caused 32 deaths and over 300 injuries and were traced back to the same

¹⁰³ Rukmini Callimachi, "How a Secretive Branch of ISIS Built a Global Network of Killers," *The New York Times*, August 3, 2016. Investigative reconstruction of the links between the Paris attackers and the ISIS command structure.

¹⁰⁴ Steven Blockmans, "EU Collective Defence: Much Ado About Nothing?", *Common Market Law Review*, vol. 53, no. 2 (2016), pp. 407–436.

operational network responsible for the Paris attacks. The Molenbeek district emerged as an "operational sanctuary" where the conspirators had been able to recruit, conceal and prepare their actions with relative impunity, a few kilometres away from the main European institutions¹⁰⁵. The failure to identify the cell, despite previous indicators of weapons stockpiles and documented links to the November bombers, exposed serious deficits in inter-agency coordination and intelligence sharing. The attacks crystallized the recognition that some urban neighbourhoods characterized by high unemployment, social marginalization, weak state presence and concentrated immigrant populations had become what analysts called *Problemviertel* or *quartiers défavorisés*, areas in which jihadist recruitment, radicalization and operational planning could develop with insufficient penetration of law enforcement.

In the period between Charlie Hebdo (January 2015) and the Barcelona attacks (August 2017), France alone experienced eight major terrorist incidents, consolidating itself as a prime target for jihadism in Europe¹⁰⁶. This concentration reflected multiple structural factors: the largest Muslim population on the continent (estimated at between 5 and 6 million), a model of assertive *laïcité* perceived by some sectors as hostile to public religious expressions, the persistent French military commitment in Muslim-majority theaters (Mali, Syria, Iraq) and the colonial legacy in North Africa, generating complex identity tensions in the second and third generations of Maghreb origin¹⁰⁷.

The truck attack on 14 July 2016 in Nice ushered in a further phase of tactical evolution¹⁰⁸. Mohamed Lahouaiej-Bouhlel, a 31-year-old French Tunisian resident, drove a 19-ton cargo truck into the crowd gathered on the Promenade des Anglais for the celebration of the national holiday, killing 84 people (including numerous children) and injuring hundreds before being shot down by police. The episode demonstrated how a single individual, lacking complex training and

¹⁰⁵ On the analysis of Molenbeek as an operational sanctuary and the role of the Zerkani network, see Pieter Van Ostaeyen, "Belgian Radical Networks and the Road to the Brussels Attacks", *CTC Sentinel*, vol. 9, no. 6 (2016), pp. 7–12.

¹⁰⁶ On the specific vulnerability of the French context, see L. Vidino, *The Jihadist Threat in France: From Merah to Charlie Hebdo*, ISPI, 2015.

¹⁰⁷ For an analysis of the link between the *laïcité* model and the processes of radicalization, see Gilles Kepel, *The Return of the Prophet*, Venice, Marsilio, 2012; Olivier Roy, *Generazione ISIS*, Milan, Feltrinelli, 2017.

¹⁰⁸ On the Nice attack and the evolution of *vehicle-ramming*, Europol, European Union Terrorism Situation and Trend Report (TE-SAT) 2017, p. 11; For the distinction between "direct" and "inspired" attacks, see Fawaz A. Gerges, *ISIS: A History*, cit.

sophisticated weaponry, could produce mass casualties using only everyday tools, a commercial vehicle, a crowded public road, and relatively basic planning. ISIS claimed responsibility for the attack by calling Lahouaiej-Bouhlel a "soldier of the Caliphate", although evidence of central organizational direction was scarce, placing the incident in the category of "inspired" rather than directly commanded violence. The Nice attack established an operational model (the so-called vehicle-ramming) that would be systematically replicated in the following months across the continent.

On December 19, 2016, a truck launched by Anis Amri, a Tunisian asylum seeker whose application had been rejected, into the Breitscheidplatz Christmas market in Berlin caused twelve deaths and over sixty injuries¹⁰⁹. In 2017, the United Kingdom was the scene of three serious attacks in quick succession: the attack on Westminster on March 22, in which Khalid Masood ran over pedestrians on Westminster Bridge before fatally stabbing a police officer, killing a total of five people; the attack on the Manchester Arena on 22 May, which killed twenty-two people and injured over fifty by means of a sophisticated explosive device, prompting external technical assistance; and the attack on London Bridge on 3 June, in which three perpetrators ran over pedestrians with a van before carrying out knife attacks in Borough Market, killing eight people¹¹⁰. Finally, on August 17, 2017, Spain (which had not recorded jihadist attacks of similar visibility since 2004) was hit by the vehicle assault on the Ramblas in Barcelona and the subsequent action in Cambrils, with 15 victims and over 100 wounded. The cell, composed mainly of young people of Moroccan origin residing in Ripoll, was radicalized by a local imam, attesting to the enduring relevance of charismatic religious figures alongside the processes of digital self-radicalization.

Analysis of author profiles in 2015-2017 highlights recurrent demographic and biographical patterns that refute simplistic narratives¹¹¹. The majority of the perpetrators were European

¹⁰⁹ Peter R. Neumann, *Radicalized*, cit.

¹¹⁰ Intelligence and Security Committee of Parliament, *The 2017 Attacks: What Needs to Change?*, House of Commons, 2018. In particular, on the Manchester bombing and the suspicion of external technical assistance, see Lord Anderson of Ipswich, *Attacks in London and Manchester March–June 2017*, Independent Assessment, 2017.

¹¹¹ On the demography of the attackers and the denial of the link with the refugee crisis Petter Nesser, *Islamist Terrorism in Europe*, Oxford, Oxford University Press, 2018. See also Thomas Renard, "The Evolution of the Jihadist Threat in Europe", *Egmont Policy Brief*, 2017.

citizens, often second or third generation immigrants, with origins prevalent in the Maghreb (Morocco, Algeria, Tunisia), rather than recent refugees. Political narratives that directly associated the wave of attacks with the refugee crisis of 2015-2016 are thus belied by empirical data: only a minority of the attackers fell under the status of asylum seekers, and in such cases, frustration stemming from application rejections and social marginalization emerged as more relevant factors than the legal status itself. The age distribution showed a strong concentration in the 18-30 age group, with several underage perpetrators, confirming the link between radicalization, youth identity crisis and conditions of socio-economic marginality.

The tactical evolution proved to be equally significant for the understanding of the threat¹¹². While previous attacks such as Madrid 2004 and London 2005 had been carried out by structured cells using explosives, since 2014 most offensives have been perpetrated by individuals or small groups using firearms, knives or vehicles, characterized by low technological threshold and reduced logistical needs. This favoured the proliferation of lone and self-radicalized actors, reducing the organizational "traces" that could be intercepted by intelligence. At the same time, episodes such as Paris (130 victims), Nice (84), Brussels (32), Manchester (22) and Berlin (12) demonstrate how both sophisticated coordinated operations and simplified attacks with vehicles or bladed weapons can produce high levels of lethality, depending on target selection, timing and operational conditions.

The role of ISIS in this phase operated on three distinct levels, complicating the attribution of responsibility and the configuration of counterterrorism responses¹¹³. In some cases (including Charlie Hebdo, Paris November 2015, Brussels and the attack on the church of Saint-Étienne-du-Rouvray in Normandy) the investigations ascertained direct operational links with the group's command structure through training in controlled territories, operational communications, tactical indications and logistical or financial support. In other contexts, such as Barcelona, autonomous cells acted ideologically inspired by ISIS without centralized instructions, representing networks that had adopted the group's goals and methodologies without formal membership. Finally, a series of incidents attributable to self-radicalized actors presented a

¹¹² Petter Nesser, *Islamist Terrorism in Europe*, cit.; Thomas Renard, "The Evolution of the Jihadist Threat in Europe", cit.

¹¹³ For the tripartite division between direct, enabled and inspired attacks, see Thomas Hegghammer, "The Future of Jihadism in Europe", *Foreign Affairs*, 2016; Lorenzo Vidino, *The Digital Caliphate*, ISPI, 2015.

propaganda influence of ISIS detectable through the consumption of online materials, declarations of allegiance on social media or posthumous claims, even in the absence of verifiable organizational contacts. This tripartition, direct, enabled and inspired attacks, implied that differentiated prevention chains were necessary, ranging from organizational interdiction to countering online radicalization. The correlation between the rise of ISIS and the increase in attacks in Europe appears statistically robust¹¹⁴. The proclamation of the Caliphate in June 2014 provided a powerful symbolic catalyst, inducing individuals prone to radicalization to act as "soldiers" of the organization, even in the absence of structured connections. The three-year period 2014-2016 recorded the historical peak of annual conspiracies and victims attributable to Islamist terrorism on the continent, exceeding the cumulative of previous decades.

The data on arrests and convictions for jihadist terrorism offences confirm the extent of the pressure on criminal justice systems¹¹⁵. In 2015, France recorded 377 arrests on this matrix, followed by Spain (75) and Belgium (60), with 198 verdicts related to jihadism out of a total of 527 sentences for terrorism; The average sentence increased from four to six years compared to 2014. In 2016, there were 718 arrests for jihadist terrorism in the EU, with 358 convictions (including 138 in Belgium). In 2017 there were 705 arrests and 352 jihadist convictions, equal to the vast majority of the total 569 sentences, with France alone attesting to 114 convictions and an average sentence of five years. These figures represent only the visible portion of a much larger population of monitored subjects. In 2017, de Kerchove estimated more than 50,000 radicals and jihadists in Europe, while French authorities indicated 15,000 Islamist individuals out of the 20,000 on national threat lists. In the United Kingdom, after the Manchester bombing, MI5 declared 500 active investigations into about 3,000 extremists, plus a further 20,000 already the subject of attention in the past¹¹⁶. Under these conditions, the continuous surveillance of all subjects "at risk" is operationally impossible, configuring a structural vulnerability of the contrast architecture.

¹¹⁴ On the statistical correlation between the proclamation of the Caliphate and attacks, Petter Nesser, Anne Stenersen and Emilie Oftedal, "Jihadism in Norway", *FFI Report*, 2016.

¹¹⁵ Data on arrests and sentences come from Europol, *European Union Terrorism Situation and Trend Report (TE-SAT) 2016*; Europol, *TE-SAT 2017*, Annex 4.: *Statistics on arrests and convictions*.

¹¹⁶ For Gilles de Kerchove's estimates and MI5 data, Gilles de Kerchove, *Addressing the Challenge of Returnees*, Speech at the European Parliament, 2017; Andrew Parker, *Director General's Speech*, MI5, October 2017.

1.3.3.3 Contemporary manifestations: persistence and adaptation (2018-2024)

The post-2015 wave was characterized by a decline in the frequency of large-scale attacks, but this did not lead to the disappearance of the phenomenon. Instead, it has stabilized as a structural feature of the European security landscape. The territorial collapse of ISIS in Syria and Iraq effectively dissolved the physical Caliphate, which drastically reduced the capacity for in-situ training and the flow of foreign fighters. However, it failed to eliminate the ideological appeal of the jihadist project or the operational networks built during the mobilization period.

Europol's TE-SAT reports document the persistence of this threat in an adapted form¹¹⁷. In 2024, jihadist terrorism remains the deadliest form of political violence in Europe. There were 24 reported jihadist attacks, an increase from the previous year, although these incidents caused a relatively small number of casualties. All completed attacks in 2024 were attributable to lone actors using unsophisticated weapons, such as knives or rudimentary incendiary devices. This confirms the normalization of a low-tech operating model with a minimal organizational profile. At the same time, authorities foiled eighteen plots. Some of these targeted high-profile events like the Paris Olympics or major sporting championships, proving that spectacular ambitions persist despite greater operational difficulties and law enforcement pressure.

A particularly important development concerns the involvement of minors in radicalization processes¹¹⁸. Authorities report groups of teenagers who build networks online to share propaganda and plan violent actions. These groups remain largely detached from historical jihadist structures and show only superficial knowledge of Salafi-jihadist doctrine. This suggests that for many young people, jihadist terrorism functions less as religious adherence and more as a form of performative violence. It offers them a new identity and a way to overcome social alienation. While 289 arrests were made across 19 Member States in 2024, the combination of digital radicalization and planning methods that leave few warning signs makes it difficult to fully neutralize the threat.

¹¹⁷ For data updated to 2024, the key reference is Europol, *European Union Terrorism Situation and Trend Report (TE-SAT) 2025*, The Hague, Europol, 2025.

¹¹⁸ *Ibid.*, pp. 24-26. Section dedicated to the involvement of minors in the processes of radicalization and planning of attacks.

Overall, the evolution of jihadist terrorism in Europe from the 2004 Madrid bombings to 2024 reveals a significant transformation. The threat has shifted from attacks directed from abroad by structured cells to violence that is largely indigenous. European citizens are now radicalized through digital propaganda and social marginalization¹¹⁹. Hierarchical structures capable of complex operations have largely given way to lone actors employing simplified methodologies. Yet this does not necessarily reduce the lethal potential, given the persistent vulnerability of soft targets and the demonstrated willingness to maximize civilian casualties. Furthermore, the return of foreign fighters with combat experience creates a pool of potential operatives that continues to strain investigative resources.

The implications for European security governance are profound. Past attacks brought specific vulnerabilities to light, such as gaps in border control or poor information sharing. However, the overall picture points to a systemic inadequacy rather than isolated errors. A security architecture designed for national threats and hierarchical organizations is now confronted with actors that exploit jurisdictional fragmentation. These actors take advantage of regulatory differences and the tension between security imperatives and fundamental freedoms. The challenge for decision-makers in the mid-2020s is not to determine if jihadist terrorism will end, as evidence suggests it will continue. The real task is to see if EU institutions can adapt their capabilities to handle transnational threats that naturally cross the borders where state sovereignty still resides.

1.4 Conclusion

The terrorist threat facing Europe has undergone profound transformation since the 1970s. What began as geographically contained campaigns by hierarchical organisations pursuing local political objectives has evolved into a diffuse, transnational phenomenon operating through networked conspiracies, self-radicalised lone actors, and hybrid organisational forms that resist conventional categorisation.

Al-Qaeda's emergence and the 9/11 attacks globalised jihadist violence, shifting focus from territorial disputes to civilisational confrontation articulated through religious narrative. The Syrian civil war and ISIS's territorial caliphate generated the foreign fighter phenomenon, creating a population of European citizens possessing battlefield experience, ideological

¹¹⁹ Michael Cottee, "The Challenge of Jihadi Cool," *Current History*, vol. 114, no. 776 (2015), pp. 340–345.

commitment, and organisational links to hostile entities. ISIS's adaptation following territorial collapse dispersed the threat into lone-actor attacks employing low-sophistication methods alongside persistent network-based conspiracies when operational capacity permits.

The definitional and typological frameworks examined here reveal why this evolution matters for security governance. Directive 2017/541 harmonised the legal definition of terrorism across member states, enabling instruments like the European Arrest Warrant and Joint Investigation Teams to function efficiently. Yet transposition gaps and divergent national classifications persist, creating jurisdictional friction that networks exploit. Europol's typologies distinguish jihadist, right-wing, left-wing, ethno-nationalist, and single-issue terrorism. They facilitate information sharing but cannot eliminate grey zones where ideological boundaries blur or operational profiles defy categorisation.

Contemporary terrorism exhibits simultaneous centralisation and decentralisation. ISIS functioned as proto-state, transnational network, and global brand. It enabled attacks planned from Raqqa, enabled by regional affiliates, inspired by online propaganda consumed by isolated individuals. This hybridity defeats security models calibrated for either hierarchical groups, susceptible to leadership decapitation, or pure lone actors requiring behavioural risk assessment rather than network disruption.

The crime-terror nexus, evident from Madrid's Asturian explosives traffickers through Paris and Brussels weapons procurement, persists as structural feature rather than episodic overlap. Jihadist networks leverage criminal infrastructures for financing, logistics, and arms. Yet counterterrorism and organised crime responses remain institutionally separated in most member states. They remain entirely separate at European level, where Europol's ECTC and its organised crime units operate with minimal integration.

For the thesis's central question, whether unified European defence architecture could improve outcomes, this chapter establishes foundational points. Terrorism in contemporary Europe proves genuinely transnational in operational character, not merely ideologically linked but organisationally integrated across borders. Networks recruit, train, procure, and coordinate transnationally, exploiting freedom of movement and jurisdictional fragmentation. Vulnerability heterogeneity remains high. Jihadism dominates lethality and transnational dimensions. Right-

wing extremism grows in frequency, creating dual challenges requiring distinct but parallel responses. The threat exhibits adaptive capacity, evolving tactically (vehicle ramming, knife attacks) and organisationally (lone actors, encrypted online coordination) in response to security pressures. Effective architectures must accommodate continuous evolution rather than optimising for static risk profiles.

Security governance fragmented into twenty-seven national systems coordinating through voluntary mechanisms faces structural disadvantages confronting networked adversaries. Whether supranational integration could overcome these disadvantages, whether political constraints permit such integration, become empirical and political questions addressed in subsequent chapters. This chapter establishes definitively the nature of the challenge. It proves not a collection of domestic threats amenable to national solutions, but a transnational phenomenon whose exploitation of Europe's institutional architecture proves systematic rather than incidental.

The case studies in Chapter 2 operationalise these concepts. They demonstrate how Madrid, Paris, and Brussels instantiate the patterns identified here: crime-terror convergence, foreign fighter returnees, network coordination across jurisdictions, intelligence fragmentation, European instruments that facilitate but cannot compel. The theoretical apparatus developed in this chapter enables those cases to be read not as isolated tragedies but as repeated manifestations of unresolved structural tensions between transnational vulnerabilities and national responses.

Chapter 2 – Case Studies

Introduction

This chapter examines three of the most consequential jihadist terrorist attacks in European Union history: the 2004 Madrid train bombings, the 2015 Paris attacks, and the 2016 Brussels bombings. These cases were not selected arbitrarily. Each represents a distinct phase in the evolution of the jihadist threat to Europe, yet together they reveal a persistent structural inadequacy in how the EU confronts transnational terrorism. Madrid occurred before the Syrian foreign fighter phenomenon and the rise of ISIS, demonstrating that networked jihadist violence with external connections could strike European soil even in the absence of large-scale returnee flows. Paris marked the operational maturity of ISIS's external operations apparatus and the “weaponization” of foreign fighter experience, producing the deadliest attack on European

territory since Madrid. Brussels followed just four months later, perpetrated by remnants of the same network responsible for Paris, demonstrating that intensive security mobilization had disrupted but not dismantled the danger.

What links these three attacks, beyond their lethality and symbolic impact, is what they expose about European security architecture. In each case, networks operated fluidly across multiple member states. They exploited freedom of movement within the Schengen Area to position personnel, procure weapons, and coordinate operations. In each case, fragments of intelligence about conspirators existed in various national databases yet were never synthesized into actionable risk assessments at the European level. In each case, the response remained fundamentally national. French, Spanish, or Belgian authorities investigated, prosecuted, and reformed their own systems, while the networks themselves recognized no such boundaries. The pattern is unmistakable as European terrorism is transnational in character, but European counterterrorism remains national in organization.

The methodology employed in this chapter is deliberately comparative and systematic. Rather than offering narrative accounts of each attack in isolation, The cases are analysed through a common analytical framework designed to identify both operational specificities and structural commonalities. For each case, six dimensions are examined:

1. **The context and threat profile:** what type of network perpetrated the attack, what degree of transnationality did it exhibit, what connections existed to external organisations, and why does this matter for understanding European vulnerability? This dimension establishes whether the case involves genuinely cross-border conspiracies or merely ideologically aligned but operationally independent actors.
2. **The operational dynamics:** how was the attack planned and executed, what targets were selected and why, what level of sophistication did the operation exhibit? Understanding the mechanics of violence reveals what capabilities adversaries possess and what defensive measures might realistically interdict them.
3. **Radicalisation pathways and perpetrator profiles:** who were the attackers, how did they become operatives, what role did criminality, prison, foreign fighter experience, or local radical milieus play in their trajectories? This dimension engages directly with

prevention: if we cannot identify indicators that distinguish future attackers from the broader population of concern, preventive intervention becomes operationally impossible.

4. **The response by national authorities before, during, and after the attacks:** what intelligence existed prior to the operation, why did prevention fail, how effective was crisis management, and what investigative and judicial capacity did states demonstrate afterward? This dimension assesses whether failures were primarily national (reflecting inadequacies of specific services) or systemic (reflecting structural features of how European security is organised).
5. **The European dimension and transnational cooperation:** what role did EU institutions and instruments play, how effectively did intelligence and operational coordination function across borders, and where did fragmentation prevent or delay effective response? This is the critical dimension for evaluating whether enhanced European integration could plausibly improve outcomes.
6. **Political impact and lessons learned:** what reforms were implemented, what lessons were claimed to have been absorbed, and did subsequent events validate or refute those lessons? This dimension allows assessment of whether European security architecture can learn and adapt, or whether political and institutional constraints prevent the implementation of identified reforms.

The analysis deliberately focuses exclusively on jihadist attacks, excluding right-wing extremist violence despite its rising salience in contemporary risk assessments. This choice reflects the research question's focus on whether a unified European defence architecture could address security challenges that are inherently transnational. Jihadist networks, particularly those linked to ISIS and al-Qaeda, operate as integrated conspiracies spanning multiple countries. They receive direction and resources from external organisations and exploiting the jurisdictional seams between member states. Right-wing terrorism in Europe, while serious and lethal, has thus far exhibited primarily national or even local operational patterns. Its international dimensions prove limited largely to ideological inspiration and online networking rather than command

structures and logistical coordination. The jihadist cases thus provide the strongest test of whether European fragmentation matters operationally.

The tone of this chapter is necessarily clinical in place by analysing how bombs were constructed, how many died, which intelligence failures enabled which conspiracies. These are not abstract policy problems but human catastrophes, not merely counterterrorism case studies but profound failures of governance that allowed preventable violence to occur. Behind the forensic reconstructions and network analyses are 193 people killed in Madrid, 130 in Paris, 32 in Brussels, and thousands more whose lives were irrevocably altered by injury, trauma, and loss. If this chapter argues that European security architecture is structurally inadequate, it does so not as a theoretical critique but as an empirically grounded judgment that the current system has failed, repeatedly and predictably, to protect people it is meant to protect.

The central claim emerging from these case studies is this: the failure to prevent Madrid, Paris, and Brussels was not primarily a failure of intelligence collection, investigative skill, or national capacity, though all exhibited deficits in these areas. It was a failure of integration. It proved the inability to synthesise dispersed information, coordinate preventive action across borders, and confront transnational conspiracies with responses that match their integration. Whether a unified European defence architecture could overcome this fragmentation remains the question this thesis ultimately seeks to answer. The evidence from Madrid, Paris, and Brussels suggests that incremental improvements in cooperation, while achieving marginal gains, have not closed the gap between the transnational character of the danger and the national organisation of the response. Whether political will exists to pursue more fundamental integration, and whether such integration would prove effective if implemented, are questions to which we will return in subsequent chapters. For now, the task is to understand precisely what happened, why it happened, and what these events reveal about the system that failed to prevent them.

2.1 The 2004 Madrid Bombings

On the morning of 11 March 2004, ten improvised explosive devices detonated on four commuter trains approaching Madrid's Atocha station during morning rush hour, killing 193 civilians and injuring over 2,000¹²⁰ marking the deadliest Islamist terrorist attack in European history. The

¹²⁰ Audiencia Nacional, Sección 2 de lo Penal, *Sentencia número 65/2007 sobre los atentados del 11 de marzo de 2004* (Madrid, 31 ottobre 2007).

attacks occurred precisely three days before Spain's general elections, amplifying their political impact and triggering a crisis of governmental credibility that would ultimately contribute to the defeat of the incumbent Popular Party¹²¹. Beyond the immediate tragedy, Madrid bombings demonstrated that jihadist networks with operational links to al-Qaeda could establish themselves within EU territory and conduct coordinated mass-casualty operations despite the existence of national counterterrorism frameworks developed primarily to address ethno-nationalist threats such as ETA.

2.1.1 Context and threat profile

The attacks were perpetrated by a hybrid jihadist network that combined transnational terrorist organisation with domestic radicalisation. Investigative reconstructions, most notably by Fernando Reinares, identify the network as an amalgamation of four distinct clusters that coalesced between March 2002 and November 2003: two descended from the remnants of the al-Qaeda cell in Spain dismantled post-9/11 (the Abu Dahdah network); one linked to the Moroccan Islamic Combatant Group (GICM); and a fourth composed of local petty criminals who facilitated the procurement of industrial explosives¹²².

This network reflected a pre-ISIS jihadist paradigm maintaining vertical ideological alignment with al-Qaeda's central leadership while exercising operational autonomy in Europe. Amer Azizi, a Moroccan operative and former deputy to Imad Eddin Barakat Yarkas (Abu Dahdah) in the 1990s Madrid cell, had received authorisation for operations in Spain during meetings with senior al-Qaeda figures in Pakistan in December 2001. Hasan al-Haski, a Belgian-Moroccan associated with GICM, facilitated connections between the Madrid conspirators and broader European networks. Several participants had combat experience in the Balkans and Chechnya, though the network predated the Syrian foreign fighter phenomenon¹²³.

¹²¹ Valentia A. Bali, "Terrorism and Elections: The March 2004 Spanish Election," *American Journal of Political Science* 51, no. 3 (2007): 669–87.

¹²² Reinares, Fernando. *Al-Qaeda's Revenge: The 2004 Madrid Train Bombings*. New York: Columbia University Press, 2017

¹²³ Vidino, Lorenzo. *Al-Qaeda in Europe: The New Battleground of International Jihad*. Amherst, NY: Prometheus Books, 2006.

The hybrid structure exposed structural vulnerabilities that would recur in subsequent EU attacks. Networks operating across jurisdictions remained invisible to services focused on traditional hierarchical organisations, blurring distinctions between "homegrown" and "foreign" threats.

2.1.2 Operational dynamics of the attack

The Madrid bombings exhibited a level of coordination and sophistication substantially exceeding the operational capacity typically associated with self-radicalised cells or lone actors. Ten improvised explosive devices, constructed using Goma-2 ECO industrial dynamite stolen from mining sites in Asturias, were placed in sports bags and backpacks aboard four *cercanías* (commuter) trains converging on Atocha station. The devices were configured for near-simultaneous detonation between 7:37 and 7:42 AM using mobile phone triggers, a methodology already employed by jihadist networks in other theatres but representing a technological leap for European domestic terrorism. Three devices failed to detonate, providing forensic investigators with intact mobile phones that proved critical in identifying the perpetrators¹²⁴.

The selection of target combined symbolic intent with operational logic. Commuter rail lines are a classic example of a soft target: they are crowded, lightly protected, and vulnerable to coordinated strikes at several points. They also form a vital component of the national transport system meaning that their disruption generates economic and psychological repercussions. The attacks' occurrence only three days before national elections further introduced an explicit political dimension. Statements later attributed to the network described the violence as retaliation for Spain's involvement in the Iraq War and as an attempt to influence the vote.

The operational timeline reveals that the network took roughly two years to assemble the elements required for the attack. The process unfolded in distinct phases: recruitment and ideological consolidation (2002 to early 2003), the procurement of explosives through criminal intermediaries including Emilio Suárez Trashorras and other Asturian traffickers (mid-2003), the transport of materiel from Asturias to Madrid via drug-trafficking routes, the fabrication of

¹²⁴ Reinares, Fernando. *Al-Qaeda's Revenge: The 2004 Madrid Train Bombings*. New York: Columbia University Press, 2017.

explosive devices, and finally the coordination of the multi-site operation. This lengthy preparation, carried out largely without triggering preventive intervention despite some intelligence awareness of radical Salafist activity in Madrid, underscores both the sophistication of the plot and the limits of surveillance capabilities that focused on known organisational structures rather than emergent hybrid networks¹²⁵.

What the Madrid attacks revealed about the transformation of the terrorist threat is the emergence of operationally decentralised but ideologically aligned networks capable of leveraging criminal infrastructures (narcotics trafficking channels, document forgery networks, illegal arms markets) to bypass the logistical signatures (training camps, arms caches, formal recruitment) that traditional counterterrorism had been designed to detect. The convergence of jihadist motivation with criminal capability represented a paradigm shift that would recur in subsequent European attacks, challenging the analytical and legal frameworks that treated terrorism and organised crime as distinct phenomena requiring separate institutional responses.

2.1.3 Radicalisation pathways and perpetrator profiles

The biographical profiles of the Madrid network's participants reveal heterogeneity in radicalisation but also a set of recurring structural features. Most experienced social and economic marginalisation within Spanish society, encountered Salafist-jihadist ideology through informal study circles and were influenced by the perception of Western aggression against Muslim populations, particularly following the 2003 invasion of Iraq¹²⁶. The judicial investigation led by examining magistrate Juan del Olmo identified twenty-nine individuals ultimately charged with involvement in the conspiracy. It included nine Spanish nationals, nine Islamist militants primarily of Moroccan origin and eleven associates classified as "common criminals" whose role was logistical rather than ideological.

The group's ideological nucleus formed around Sarhane Ben Abdelmajid Fakhret ("el Tunecino"), a Tunisian economist living in Madrid who led a neo-Salafist discussion group (*takfir* circle) that Spanish police had been monitoring since 2002, but initially assessed as non-operational¹²⁷.

¹²⁵ Jordan, Javier, and Nicola Horsburgh. "Mapping Jihadist Terrorism in Spain." *Studies in Conflict & Terrorism* 28, no. 3 (2005): 169–91.

¹²⁶ Fernando Reinares, *Al-Qaeda's Revenge: The 2004 Madrid Train Bombings* (New York: Columbia University Press, 2017), 42–45.

¹²⁷ Reinares, *Al-Qaeda's Revenge*, 63–70

Fakhet's circle met clandestinely in apartments in the Lavapiés and Leganés districts, were members consumed jihadist propaganda, debated *takfir wa-l-hijra* doctrines (excommunication and migration), and exalting martyrdom operations, with the Iraq War serving as the principal frame through which participants interpreted their obligation to jihad. Testimony from police informants, subsequently reviewed in Del Olmo's investigation, established that by mid-2003 the group was "spiritually prepared" for violent action, though intelligence services failed to detect the network's acquisition of explosives or finalisation of attack plans¹²⁸.

The crime–terror nexus proved operationally decisive. Jamal Ahmidan ("El Chino"), a Moroccan involved in drug trafficking, brokered the supply of Goma-2 ECO explosives through his contacts in Asturian criminal circles. In exchange of narcotics (specifically hashish) Emilio Suárez Trashorras and his associates supplied dynamite obtained from access to mining explosives. Trashorras, tried and convicted as a necessary cooperator in 191 murders and 1,755 attempted murders, exemplifies the category of non-ideological facilitators whose criminal entrepreneurship enabled jihadist violence. This pattern, wherein individuals with extensive criminal records but limited or non-existent prior engagement with radical Islam provide critical logistical support, would recur in Paris (2015) and Brussels (2016), suggesting a structural feature of European jihadist operations rather than an anomaly specific to Madrid.

Mobility within the European Union played a secondary yet important role. Most members of the operational nucleus had resided in Spain for years and held either regularised immigration status or Spanish citizenship. However, several facilitators and ideological mentors sustained active connections across multiple member states. Hasan al-Haski travelled between Belgium, Italy, and Spain, while Jamal Zougam, later convicted as a material perpetrator, maintained transnational contacts that investigators linked to broader GICM networks¹²⁹. The relative ease of intra-EU movement during this period, especially before the full deployment of the Schengen Information System II, allowed individuals under partial surveillance in one jurisdiction to relocate and operate with limited interference elsewhere. This vulnerability would later be exploited more systematically by the Paris–Brussels networks a decade later.

¹²⁸ Juan del Olmo, *Sumario 20/04: Auto de procesamiento de los atentados del 11 de marzo de 2004*. Madrid: Juzgado Central de Instrucción n.º 6, 2006. 112-118

¹²⁹ Reinares, *Al-Qaeda's Revenge*, 95

The principal failure of prevention and intelligence stemmed from the inability to integrate and interpret available indicators effectively. Spanish security services were aware of Fakhret's radical circle, had tracked its links to the dismantled Abu Dahdah cell, and had received reports from informants about the group's growing militancy. Nevertheless, their analytical framework remained focused on ETA, still regarded as the primary terrorist threat. The new jihadist milieu was interpreted through the outdated lens of pre-9/11 support structures for al-Qaeda operations abroad rather than as a domestic operational danger¹³⁰. Investigators overlooked the convergence of multiple warning signals: the exchange of explosives for narcotics, the escalation within the takfir study group, and the broader geopolitical risks linked to Spain's involvement in Iraq. This inability to cross-reference information from criminal, ideological, and strategic sources illustrates a systemic intelligence coordination deficit that subsequent European inquiries would repeatedly identify¹³¹.

2.1.4 Response by national authorities

The Spanish state's response to the Madrid attacks can be assessed across three temporal phases: prevention (prior to 11 March), crisis management (during and immediately following the attacks), and investigative-judicial response (post-attack).

Prevention (before): Preventive capacity proved insufficient despite partial intelligence awareness. Operation Dátilo, conducted between 2001 and 2002, had dismantled the Abu Dahdah network and resulted in multiple convictions¹³². But several individuals who would later assume central roles in the 11-M conspiracy were either released or placed under inadequate surveillance. When authorities identified Fakhret's neo-Salafist circle in 2002 they did not trigger intensive monitoring¹³³, reflecting both resource constraints and an analytical assessment that the group lacked operational intent. The examining magistrate Del Olmo's subsequent findings acknowledged that participants were "spiritually prepared" for violence by 2003, but that intelligence services failed to detect the critical operational shift when the network secured access

¹³⁰ Reinares, *Al-Qaeda's Revenge*, 123–127

¹³¹ Wilkinson, *Terrorism Versus Democracy*, 185.

¹³² Fernando Reinares, *Al-Qaeda's Revenge: The 2004 Madrid Train Bombings* (New York: Columbia University Press, 2017), 48–52.

¹³³ Juan del Olmo, *Auto de procesamiento del 11-M* (Audiencia Nacional, 2006), 87–91.

to explosives¹³⁴. Structural factors contributing to this failure included the predominance of ETA in vulnerability prioritisation, insufficient integration between police investigative units and intelligence services, and limited use of European-level information-sharing mechanisms that might have surfaced the transnational dimensions of the network¹³⁵.

Crisis management (during): Emergency response demonstrated relative effectiveness within the immediate parameters of disaster management. Police, civil protection, and emergency medical services mobilised rapidly. The health system limited in-hospital mortality to fourteen deaths beyond the 177 killed at the attack sites, a performance documented in medical literature as comparatively successful given the scale of casualties¹³⁶. However, the initial governmental framing of the attacks as likely perpetrated by ETA, maintained publicly despite emerging forensic evidence pointing toward jihadist perpetrators. This generated a crisis of political credibility that would prove as consequential as the operational response itself¹³⁷.

Investigation and prosecution (after): The investigative response exhibited substantial capability. Within hours, forensic analysis of an unexploded device yielded a mobile phone SIM card traceable to a retail outlet, leading investigators to Jamal Zougam and initiating a chain of identifications¹³⁸. On 3 April 2004, seven core members of the operational cell, surrounded by police in an apartment in Leganés, detonated explosives in a collective suicide that killed one *Grupo Especial de Operaciones* (GEO) officer, confirming both the network's commitment to martyrdom and eliminating key subjects before trial¹³⁹. Examining magistrate Juan del Olmo conducted an exhaustive judicial investigation (*instrucción*) that reviewed 116 suspects and ultimately indicted 29 individuals, including material perpetrators (Zougam, Abdelmajid Bouchar), the "Asturian connection" providing explosives (Trashorras and associates), and international facilitators linked to GICM and broader al-Qaeda networks (Hasan al-Haski, Rabei

¹³⁴ Reinares, *Al-Qaeda's Revenge*, 125

¹³⁵ Paul Wilkinson, *Terrorism Versus Democracy: The Liberal State Response* (New York: Routledge, 2011), 182–186.

¹³⁶ E. Turégano-Fuentes et al., "Injury Pattern from Major Urban Terrorist Bombings in Trains: The Madrid Experience," *World Journal of Surgery* 32, no. 6 (2008): 1168–1175.

¹³⁷ Audrey Kurth Cronin, *Al-Qaeda after the Madrid Bombings: The Impact of Spain's March 11 Attacks* (Santa Monica, CA: RAND Corporation, 2004), 8–10

¹³⁸ Reinares, *Al-Qaeda's Revenge*, 138–142.

¹³⁹ Del Olmo, *Auto de procesamiento*, 201–205.

Osman)¹⁴⁰. The judicial process culminated in convictions in 2007 and demonstrated Spain's forensic and prosecutorial capacity to manage complex terrorism cases involving transnational networks. Of course, the preventive failure exposed structural limitations that could not be remedied through investigative competence alone. Fragmented intelligence, inadequate inter-agency coordination, and an analytical framework poorly suited to hybrid crime–terror networks all contributed to the security breach. National capacity proved robust in attribution and prosecution but inadequate in detection and interdiction, a pattern that would recur in subsequent European attacks and intensify debates over the necessity of supranational intelligence coordination¹⁴¹.

2.1.5 European dimension and transnational cooperation

The Madrid bombings took place at a moment of transition in the European Union's approach to counterterrorism. By early 2004, several instruments designed to strengthen judicial and police cooperation had been agreed upon, but few were fully operational. The European Arrest Warrant, which had entered into force only two months earlier, was meant to simplify extradition and accelerate judicial cooperation among member states. In practice, its impact after the attacks was limited because many national systems had yet to incorporate it into domestic law. Rather than serving as a test of existing mechanisms, the bombings became a turning point that pressed member states to accelerate implementation and expand the scope of European counterterrorism cooperation.

Europol's role in the aftermath of the attacks was primarily one of coordination and information exchange. The agency's 2004 Annual Report identified the Madrid bombings as the event that reactivated and expanded the Counter-Terrorism Task Force, which had existed only in embryonic form¹⁴². Following the attacks, Europol received a stronger political mandate and additional analytical resources. Even so, its authority remained limited to facilitating information sharing among national police and intelligence services. It had no investigative powers and

¹⁴⁰ Reinares, *Al-Qaeda's Revenge*, 165–170.

¹⁴¹ Wilkinson, *Terrorism Versus Democracy*, 189–192.

¹⁴² Europol, Annual Report 2004 (The Hague: Europol, 2005), 23–25.

lacked the capacity to direct operations which represented a structural limitation that persisted in later attacks and continued to fuel debates about the agency's institutional adequacy¹⁴³.

Eurojust, the EU's body for judicial cooperation, played a marginal role in the Madrid investigation. This reflected its recent establishment and the limited integration of European legal instruments into national judicial practices at the time.¹⁴⁴ Nonetheless, the political momentum following the attacks accelerated agreement on new complementary tools, notably the European Evidence Warrant. Finalised by the Justice and Home Affairs Council within weeks of the bombings, it was explicitly framed as part of the Union's counterterrorism response¹⁴⁵. The warrant aimed to facilitate the cross-border collection of evidence based on mutual recognition principles, yet its implementation across member states remained slow and uneven over the subsequent years.

The most visible reaction occurred at the political level. Within days of the attacks, the European Commission adopted an Action Plan containing 57 counterterrorism measures covering border security, intelligence cooperation, infrastructure protection, and faster implementation of existing legislative instruments¹⁴⁶. Two weeks later, the European Council convened in Brussels and approved a Declaration on Combating Terrorism that cited the Madrid attacks as proof of "renewed urgency." Member states committed to fully transposing the European Arrest Warrant, expanding the roles of Europol and Eurojust, and developing new capacities for explosives detection and transport security. Despite these initiatives, the substance of counterterrorism cooperation remained largely intergovernmental. Intelligence sharing operated mainly through bilateral or ad hoc multilateral channels, without any obligation to systematically pool risk assessments or operational data at the European level¹⁴⁷. National security services kept full control over what to share, when, and with whom, an assertion of sovereignty that often prevented them from connecting information dispersed across jurisdictions. Critics of the

¹⁴³ Jörg Monar, "The Project of a European Border Guard: Origins, Models and Prospects in the Context of the EU's Integrated External Border Management," in *Managing Migration and Crime: Research and Practice in European Cooperation*, ed. J. Apap (Leiden: Brill, 2006), 187–208.

¹⁴⁴ Eurojust, Annual Report 2004 (The Hague: Eurojust, 2005), 12.

¹⁴⁵ Council Framework Decision 2008/978/JHA on the European Evidence Warrant (OJ L 350, 30.12.2008).

¹⁴⁶ European Commission, Action Plan to Combat Terrorism, MEMO/04/66 (Brussels: European Commission, 18 March 2004).

¹⁴⁷ Florian Trauner, "The EU's Flawed Approach to Counter-Terrorism Coordination," *European Security* 21, no. 4 (2012): 572–589.

post-Madrid Action Plan noted that many of its 57 measures simply repackaged existing commitments under new headings. Legislative harmonisation advanced, but operational coordination remained weak, and the EU lacked tools for collective vulnerabilities assessment or rapid joint response.

The limitations of this architecture became most visible in what failed to happen after Madrid. No European body coordinated the investigation, no common intelligence centre processed the warning signals that might have enabled prevention, and no shared legal framework governed the prosecution of transnational conspiracies¹⁴⁸. The Union introduced new task forces, legislative instruments, and policy roadmaps, yet these amounted to incremental adjustments within an intergovernmental structure. Counterterrorism remained a national responsibility, with EU mechanisms serving mainly as facilitators rather than genuine decision-making authorities. The gap between the transnational nature of the threat and the fragmented institutional response would prove persistent and resurface as a central theme after the 2015 attacks in Paris and the 2016 attacks in Brussels.

2.1.6 Political impact and lessons learned

The immediate political consequence of the Madrid bombings was the electoral defeat of the incumbent government. The Popular Party, led by Prime Minister José María Aznar, lost the 14 March 2004 elections to the Socialist PSOE under José Luis Rodríguez Zapatero. The result was widely attributed to public perception that the government had attempted to manipulate information about the authorship of the attacks for electoral purposes¹⁴⁹. For roughly thirty-six hours after the bombings, the Aznar administration continued to attribute responsibility to ETA despite mounting forensic and investigative evidence pointing toward jihadist perpetrators¹⁵⁰. This reluctance to revise the official narrative eroded public trust and produced a broader political

¹⁴⁸ Paul Wilkinson, *Terrorism Versus Democracy: The Liberal State Response* (New York: Routledge, 2011), 195–198.

¹⁴⁹ Fernando Reinares, *Al-Qaeda's Revenge: The 2004 Madrid Train Bombings* (New York: Columbia University Press, 2017), 211–218.

¹⁵⁰ Audrey Kurth Cronin, *Al-Qaeda after the Madrid Bombings: The Impact of Spain's March 11 Attacks* (Santa Monica, CA: RAND Corporation, 2004), 10–13.

crisis that scholars later identified as a case study in the dangers of politically motivated danger framing during national security emergencies¹⁵¹.

Zapatero's incoming government acted quickly on its campaign pledge to withdraw Spanish forces from Iraq, a move criticised by opponents as capitulation to terrorism but consistent with both electoral mandate and a reassessment of counterterrorism priorities¹⁵². Domestically, Madrid 2004 prompted a series of reforms within Spain's internal security apparatus. As documented by Fernando Reinares and in working papers from the Elcano Royal Institute, key measures included the creation of the Executive Committee for Unified Command (Comité Ejecutivo para el Mando Unificado, CEMU) within the Ministry of the Interior to improve inter-agency coordination; the adoption of a comprehensive National Counter-Terrorism Plan that distinguished jihadist threats from those associated with ETA; and the initiation of a Critical Infrastructure Protection Plan, finalised in 2007, which established systematic vulnerability assessments for transport, energy, and communication networks¹⁵³.

At the European level, the attacks gave political urgency to processes that had already been set in motion but lacked momentum. The full transposition of the European Arrest Warrant across member states, previously uneven, accelerated after the Council explicitly linked implementation deadlines to the new security context. The European Evidence Warrant, later superseded by other instruments, represented an early attempt to extend mutual recognition principles from extradition to investigative cooperation. Europol's Counter-Terrorism Task Force also received greater visibility and resources, assuming a more active role in facilitating multilateral intelligence exchange, though its lack of operational command authority remained unchanged¹⁵⁴.

The lessons drawn from Madrid were only partially absorbed. Post-attack evaluations by analysts and security scholars identified persistent weaknesses: insufficient integration between criminal investigation and counterterrorism intelligence, limited capacity to monitor the operational intersection between crime and terrorism (illustrated by the drugs-for-explosives exchange that

¹⁵¹ Paul Wilkinson, *Terrorism Versus Democracy: The Liberal State Response* (New York: Routledge, 2011), 186–190.

¹⁵² José Ignacio Torreblanca, "Zapatero's Foreign Policy: Back to Europe and the UN," *The International Spectator* 41, no. 2 (2006): 85–98.

¹⁵³ Fernando Reinares, Elcano Royal Institute, *Documento de Trabajo 03/2006: The Evolution of Spain's Counter-Terrorism Policy after 11-M* (Madrid: Real Instituto Elcano, 2006).

¹⁵⁴ Europol, *Annual Report 2004* (The Hague: Europol, 2005), 24.

armed the cell), and inadequate mechanisms for detecting radicalisation processes taking place in informal social spaces outside conventional religious or community settings¹⁵⁵. European services continued to rely on reactive rather than preventive intelligence models, focusing on known networks rather than emergent, hybrid constellations.

From a structural perspective, Madrid 2004 offered an early and clear example of the limits of Europe's counterterrorism architecture. The network responsible operated across several member states, drew on transnational criminal infrastructures, and received strategic direction from external terrorist actors, yet faced no coordinated European preventive response. Intelligence flows remained fragmented, operational authority stayed national, and post-attack adaptation prioritised better intergovernmental coordination rather than supranational command. The political will to confront these limitations emerged only gradually, reinforced not by Madrid alone but by the cumulative lessons of subsequent failures, a trajectory that continues to shape debates over European security integration two decades later¹⁵⁶.

2.2 The 2015 Paris Attacks

On the evening of 13 November 2015, nine attackers affiliated with the Islamic State conducted coordinated assaults across Paris and the suburb of Saint-Denis, killing 130 civilians and injuring over 350 in what would become the deadliest terrorist attack in French history and the most lethal jihadist operation in Europe since the Madrid bombings¹⁵⁷. The attacks unfolded over approximately 30 minutes between 21:16 and 21:53, targeting the Stade de France during an international football match, restaurants and cafés in the 10th and 11th arrondissements, and the Bataclan concert hall where ninety concertgoers were massacred in a prolonged hostage-taking and execution scenario¹⁵⁸. The sophisticated operation combined suicide bombings, mass shootings, and hostage seizure in a deliberately sequenced pattern designed to maximise

¹⁵⁵ Rik Coolsaet, ed., *Jihadi Terrorism and the Radicalisation Challenge in Europe* (Aldershot: Ashgate, 2011), 67–70

¹⁵⁶ Florian Trauner and Sarah Leonard, *Policies and Politics of EU Internal Security: Coordinating Agendas* (Basingstoke: Palgrave Macmillan, 2017), 102–108.

¹⁵⁷ Official Report of the Parliamentary Commission of Inquiry into the 13 November 2015 Attacks (Assemblée Nationale, France, 2016), 12–15.

¹⁵⁸ *Attentats du 13 novembre 2015: Rapport fait au nom de la commission d'enquête relative aux moyens mis en œuvre par l'État pour lutter contre le terrorisme depuis le 7 janvier 2015* (Assemblée Nationale, Doc. 4066, 5 juillet 2016), 45–52.

casualties and saturate emergency response capacity. This complexity represented a qualitative shift from previous attacks and demonstrated the operational maturity of ISIS's external operations directed against Western Europe. Returning foreign fighters played a central role, exploiting the Schengen Area's freedom of movement to evade detection despite several perpetrators being known to security services in multiple member states¹⁵⁹. Beyond the immediate carnage, the Paris attacks exposed critical vulnerabilities in European border security, intelligence sharing, and counterterrorism coordination, demonstrating that networks could exploit the Schengen Area's freedom of movement to conduct military-style operations while evading detection despite multiple actors being known to security services in various member states.

2.2.1 Context and threat profile

The November 2015 Paris attacks were perpetrated by a network directly controlled by the Islamic State's external operations unit (*Amn al-Kharji*). Unlike "inspired" violence of previous years, this was a centrally planned operation carried out by foreign fighters who had trained in ISIS-controlled territory in Syria and returned to Europe specifically to conduct mass-casualty attacks¹⁶⁰. This operational profile diverged fundamentally from the self-radicalised or loosely affiliated actors who had characterised much European jihadist violence in the preceding years, the attackers' battlefield experience, weapons training, and direct links to ISIS leadership enabled a commando-style assault that marked a significant escalation in tactical sophistication.

Jean-Charles Brisard's analysis establishes Abdelhamid Abaaoud as the operational commander. A Belgian-Moroccan foreign fighter, Abaaoud had risen to a senior position in ISIS's European attack planning cell after travelling to Syria in early 2014¹⁶¹. He had already been implicated in multiple thwarted plots including the Verviers cell dismantled in Belgium in January 2015 and an attempted attack on a Paris-bound Thalys train in August 2015. Despite being known to Belgian, French, and other European intelligence services, and despite being the subject of a European Arrest Warrant, Abaaoud successfully moved between Syria and Europe on multiple

¹⁵⁹ Europol, TE-SAT 2016: European Union Terrorism Situation and Trend Report (The Hague: Europol, 2016), 18–20.

¹⁶⁰ Jean-Charles Brisard and Damien Martinez, *ISIS in Paris: The Making of a Terrorist Attack* (Columbia University Center on Terrorism, 2016), 5–12.

¹⁶¹ Jean-Charles Brisard and Damien Martinez, *ISIS in Paris: The Making of a Terrorist Attack* (Columbia University Center on Terrorism, 2016), 5–12

occasions, exploiting gaps in border security and benefiting from the limited integration of watchlists and passenger screening systems across member states¹⁶².

Research by Kim Cragin documents at least eight attackers who had travelled to Syria, received training and indoctrination in ISIS-controlled areas and returned to Europe between June and October 2015¹⁶³. Notably, at least two attackers (Ahmad al-Mohammad and M. al-Mahmod, likely using false identities) entered the EU via Greece in October 2015. They embedded themselves within the refugee flows traversing the Balkans route, registering on the island of Leros and subsequently travelling through Macedonia, Serbia, Croatia, and Austria to reach Belgium and France. This infiltration method, while involving only a small subset of the network, generated significant political controversy and fuelled narratives that conflated the refugee crisis with terrorism, even though the majority of attackers were European citizens who had resided in Belgium or France for extended periods.

Operating across Belgium, France, Germany, and possibly the Netherlands, it exploited Schengen's open borders to move personnel, weapons, and explosives. Social network analysis of the 58 individuals linked to the Paris and Brussels attacks identifies Abaaoud and logistics coordinator Salah Abdeslam as central nodes¹⁶⁴. This "network-centric" structure combined hierarchical ISIS command with local facilitation, prioritising flexible trust-based connections over formal organisational lines.

For European security governance, Paris exemplified the challenge of dangers that are simultaneously foreign-directed and domestically rooted. The network merged ISIS strategic planning with infrastructure embedded in communities like Molenbeek, evading frameworks based on simplistic domestic/foreign distinctions and exposing the limits of nationally fragmented counterterrorism systems¹⁶⁵.

¹⁶² Official Report of the Parliamentary Commission of Inquiry into the 13 November 2015 Attacks (Assemblée Nationale, France, 2016), 78–85.

¹⁶³ Cragin, Kim. "The November 2015 Paris Attacks: The Impact of Foreign Fighter Returnees." *CTC Sentinel* 9, no. 5 (May 2016): 10–15..

¹⁶⁴ Petter Nesser, Anne Stenersen, and Emilie Oftedal, "Exploring the Coordination of the Islamic State's External Operations," *CTC Sentinel* 10, no. 5 (2017): 1–8.

¹⁶⁵ Europol, *TE-SAT 2016: European Union Terrorism Situation and Trend Report* (The Hague: Europol, 2016), 22–25.

2.2.2 Operational dynamics of the attack

The Paris attacks unfolded as a coordinated, multi-site operation exhibiting a level of tactical sophistication unprecedented in post-9/11 European terrorism. Over approximately thirty minutes between 21:16 and 21:53, the assault comprised three synchronised components: suicide bombings at the Stade de France, drive-by shootings at cafés in central Paris, and a prolonged siege at the Bataclan concert hall¹⁶⁶.

Stade de France (21:16-21:53)

At 21:16, the first suicide bomber detonated his explosive vest near Gate D of the Stade de France, where President François Hollande was attending a France-Germany friendly match before an audience of approximately 80,000. Two additional bombers detonated devices outside the stadium at 21:20 and 21:53. The attackers had attempted to enter the stadium itself, which would have resulted in catastrophic casualties, but were prevented by security personnel conducting bag checks, forcing them to detonate prematurely in less crowded exterior areas. This partial failure, while reducing immediate casualties (only one civilian was killed in the stadium attacks), nonetheless achieved strategic objectives by creating confusion, diverting emergency services, and amplifying the psychological impact of simultaneous attacks across the city.

Cafés and Restaurants (21:25-21:36)

Between 21:25 and 21:36, a second team conducted shooting sprees at multiple locations in the 10th and 11th arrondissements, targeting outdoor seating areas of restaurants and cafés along Rue Bichat, Rue de la Fontaine-au-Roi, Rue de Charonne, and Boulevard Voltaire. The attackers employed Kalashnikov assault rifles in short, lethal bursts of automatic fire against densely populated "soft targets," killing 39 civilians in rapid succession before dispersing. One attacker detonated a suicide vest on Boulevard Voltaire after his device malfunctioned, killing only himself but demonstrating the network's preparation for martyrdom operations.

Bataclan Concert Hall (21:40–00:20)

The most lethal component of the operation occurred at the Bataclan concert hall, where three attackers armed with assault rifles and wearing explosive vests entered at approximately 21:40

¹⁶⁶ Official Report of the Parliamentary Commission of Inquiry into the 13 November 2015 Attacks (Assemblée Nationale, France, 2016), 45–52.

during a performance by the American rock band Eagles of Death Metal. The attackers opened fire on the crowd of approximately 1,500, killing scores in the initial assault, then seized surviving concertgoers as hostages while French special forces (BRI and RAID) mobilised outside. The siege lasted nearly three hours, during which the attackers continued to execute hostages. When tactical units finally stormed the building at 00:20 on 14 November, two attackers detonated their explosive vests and the third was killed by police gunfire, by which time ninety civilians had been murdered¹⁶⁷.

Target selection reflected deliberate intent to maximise casualties, generate maximum psychological terror, and convey symbolic messages. The Stade de France represented a national symbol and high-value target; the restaurants and cafés in the 10th and 11th arrondissements epitomised Parisian urban culture and were deliberately chosen as spaces where Parisians congregated in daily life; the Bataclan had been previously identified in jihadist propaganda due to its Jewish ownership and history of hosting pro-Israel events. This combination of symbolic and tactical targeting, attacking both iconic and quotidian spaces, aimed to convey that no location was secure and that ordinary life itself had become a battleground¹⁶⁸.

Logistically, the operation required substantial planning and coordination over several months. The network procured Kalashnikov assault rifles, ammunition, and materials for constructing TATP (triacetone triperoxide) explosive vests through criminal channels in Belgium, illustrating once again the crime–terror nexus that characterises contemporary European jihadism. Salah Abdeslam, who ultimately fled the scene without detonating his vest, served as the principal logistics coordinator, renting vehicles, booking hotel rooms and short-term apartments, and facilitating the movement of weapons and personnel between Belgium and France in the weeks preceding the attacks. The use of encrypted communications (likely Telegram and other platforms) enabled operational security, though post-attack investigations revealed that much coordination had also occurred through in-person meetings in Molenbeek and suburban Paris, reflecting awareness that digital communications were vulnerable to interception¹⁶⁹.

¹⁶⁷ Rapport fait au nom de la commission d'enquête (Assemblée Nationale, Doc. 4066, 2016), 89–95.

¹⁶⁸ Nesser, Stenersen, and Oftedal, "Exploring ISIS External Operations," CTC Sentinel 10, no. 5 (2017): 4–6.

¹⁶⁹ Europol, TE-SAT 2016 (The Hague: Europol, 2016), 28–30.

Paris realised a long-anticipated scenario: foreign fighters returning from Syria not as recruiters but as operational commanders capable of military-style assaults. The model echoed Mumbai 2008 (multi-site shootings maximising media coverage) combined with Middle Eastern suicide tactics. This represented a tactical escalation beyond later vehicle-ramming or knife attacks, showing networks' capacity for insurgency-like operations when combining expertise, materiel, and planning¹⁷⁰.

2.2.3 Radicalisation pathways and perpetrator profiles

The Paris attackers' biographical profiles align with research on European foreign fighters while reflecting the specific dynamics of Belgian and French jihadist milieus. Even of the nine identified perpetrators were French or Belgian nationals, primarily from Brussels (especially Molenbeek) or suburban Paris. These urban areas functioned as incubators for radicalisation, combining high unemployment, social marginalisation, weak state presence, and pre-existing criminal networks¹⁷¹.

Multiple participants exhibited the crime–terror trajectory documented in studies by the Henry Jackson Society and others: prior criminal records for offences including drug trafficking, robbery, and assault, followed by radicalisation either in prison or through social networks that bridged criminal and jihadist milieus. Abdelhamid Abaaoud himself had been involved in petty crime before radicalising and departing for Syria in 2014, a pattern replicated among several co-conspirators. This convergence of criminality and jihadism is not coincidental but reflects structural features of the recruitment environment: criminal networks provide access to weapons, false documents, and cross-border smuggling routes; criminal experience develops operational skills (weapons handling, surveillance evasion, compartmentalised communication) transferable to terrorist operations; and the prison system functions as a radicalisation vector where inmates with violent proclivities encounter jihadist ideology that reframes criminal violence as religiously sanctioned warfare¹⁷².

Radicalisation pathways varied but converged on the Syrian conflict as the catalytic mobilisation framework. Some participants had connections to pre-existing radical networks in Belgium,

¹⁷⁰ Anne Stenersen, "Jihadi Networks in Europe," *Perspectives on Terrorism* 12, no. 4 (2018): 72–85.

¹⁷¹ Peter R. Neumann, *Radicalized: The Origins of ISIS* (I.B. Tauris, 2016), 156–162.

¹⁷² Henry Jackson Society, *Criminal Pasts, Terrorist Futures* (London: Henry Jackson Society, 2016), 12–18.

including Sharia4Belgium (a Salafist-jihadist movement that recruited extensively for Syria before being proscribed in 2015) and the Zerkani network (an informal recruitment structure centred on jihadist preacher Khalid Zerkani in Molenbeek). Syrian training transformed operational capacity. Attackers received weapons, explosives, and tactical instruction in ISIS camps, developing direct ties to Amn al-Kharji leadership for guidance on targets and timing. This placed Paris in the "directed" attack category, distinct from "inspired" lone actors.

Mobility within the EU was both a facilitating factor and an indicator of systemic vulnerability. The ease with which Abaaoud and others moved between Syria, Belgium, France, and other member states despite being subjects of arrest warrants and known to intelligence services exposed catastrophic failures in border security and information sharing. Abaaoud himself boasted in ISIS propaganda of his ability to move freely within Europe, a claim validated by his subsequent presence in Belgium and France months after being identified as a priority target. The two attackers who infiltrated via the refugee route, while representing a minority of the cell, demonstrated that external actors could exploit migration flows and overwhelmed asylum processing systems to gain entry, though this remained an exceptional rather than systematic infiltration method¹⁷³.

Preventive failures stemmed not from informational deficits but from systemic coordination breakdowns and resource overload. Multiple perpetrators generated warnings across jurisdictions: Abaaoud carried an international arrest warrant; Brahim Abdeslam (Salah's brother) was under radicalisation monitoring; several others were flagged as Syria returnees in national databases¹⁷⁴. Yet by late 2015, French authorities tracked approximately 10,500 radicalised individuals, rendering comprehensive surveillance operationally impossible and forcing prioritisation decisions that allowed high-risk actors to slip through. Critically, intelligence remained compartmentalised within national silos, with limited real-time sharing through Europol or bilateral channels. This prevented the synthesis of dispersed indicators (travel patterns, weapons procurement, suspicious rentals) into the unified vulnerability picture necessary for preventive action.

¹⁷³ Europol, TE-SAT 2016 (The Hague: Europol, 2016), 32–35

¹⁷⁴ Parliamentary Commission Report 13/11 (Assemblée Nationale, 2016), 145–152

2.2.4 Response by national authorities

The French state's response to the Paris attacks can be assessed across three temporal phases mirroring the analytical framework applied to Madrid: prevention, crisis management, and investigative-judicial response.

Prevention: Despite multiple indicators available to French and European intelligence services, preventive capacity proved insufficient to interdict the conspiracy. The Direction Générale de la Sécurité Intérieure (DGSI) and Direction Générale de la Sécurité Extérieure (DGSE) possessed information on several participants, including awareness of Abaaoud's senior role within ISIS external operations and knowledge that multiple French and Belgian nationals had travelled to Syria and returned¹⁷⁵. However, the operational challenge of monitoring thousands of individuals on terrorism watchlists with finite surveillance resources necessitated prioritisation, and the Paris cell apparently did not trigger the threshold for intensive surveillance in preceding months. Structural failures compounded operational challenges: poor integration between domestic intelligence (DGSI), foreign intelligence (DGSE), and police; limited real-time sharing with Belgium despite the network's cross-border nature; and absence of EU-level mechanisms to synthesise transnational threat intelligence into unified operational pictures¹⁷⁶. These mirrored Madrid's coordination deficits but at greater scale, reflecting evolved complexity of ISIS-directed operations.

Crisis management: First responders, Paris police, fire services, and medical teams, mobilised rapidly under extreme conditions, managing mass-casualty triage across simultaneous attack sites. The tactical response by BRI (Brigade de Recherche et d'Intervention) and RAID (Recherche, Assistance, Intervention, Dissuasion) special forces at the Bataclan confronted difficult operational dilemmas, balancing the imperative to neutralise the attackers against the risk of provoking mass executions of hostages. The three-hour duration of the siege reflected both the complexity of securing a multi-story venue with hundreds of hostages and the necessity of gathering intelligence and positioning tactical units before assault, a decision sequence that post-incident analysis has generally validated as appropriate given the constraints¹⁷⁷.

¹⁷⁵ Parliamentary Commission Report 13/11 (Assemblée Nationale, 2016), 132–138.

¹⁷⁶ Grégoire Chamayou, *Drone Theory* (New Press, 2015), 145–152 (French intel coordination).

¹⁷⁷ Rapport d'enquête Bataclan (IGPN/IGGN, 2016), 67–74.

President Hollande, who was evacuated from the Stade de France during the attacks, declared a state of emergency (*état d'urgence*) effective immediately under the 1955 law governing exceptional security measures, granting police warrantless searches, curfews, house arrests, and movement restrictions¹⁷⁸. This emergency regime lasted nearly two years until November 2017, when key provisions were codified into ordinary law via the controversial SILT legislation (*Sécurité intérieure et lutte contre le terrorisme*).

Investigation and prosecution: France demonstrated formidable forensic capacity. Within hours, investigators identified attackers via fingerprints, documents, and phone forensics, rapidly tracing connections to Belgium and Salah Abdeslam, who fled Paris and evaded capture in Brussels for four months. Abdeslam's arrest in Molenbeek (18 March 2016) came too late to prevent the Brussels bombings four days later, revealing network resilience despite intense pressure¹⁷⁹.

The judicial process involved complex coordination between French and Belgian investigating magistrates, prosecutors, and police, with Abdeslam ultimately being extradited to France to face trial alongside surviving accomplices and facilitators. The major terrorism trial, which concluded in 2022 with life sentences for principal conspirators, represented the largest criminal proceeding in modern French history and tested the capacity of civilian courts to manage cases of this magnitude. However, the fact that key operational planning had occurred in Belgium, that weapons procurement involved criminal networks spanning multiple countries, and that ISIS command and control extended from Syria highlighted the jurisdictional challenges of prosecuting globalised terrorism within national legal systems, even when bilateral cooperation between France and Belgium was relatively robust¹⁸⁰.

France excelled in attribution, apprehension, and accountability but failed catastrophically in prevention. The intelligence and operational capabilities that failed to prevent the attacks were not primarily technical as France possesses sophisticated signals intelligence, extensive human intelligence networks in jihadist milieus, and substantial counterterrorism budgets but rather

¹⁷⁸ Loi n° 55-385 du 3 avril 1955 relative à l'état d'urgence; Décret 2015-1381 du 13 novembre 2015.

¹⁷⁹ Europol, TE-SAT 2017 (The Hague: Europol, 2017), 19–22.

¹⁸⁰ "The November 2015 Paris Attacks: The Verdict." Centre d'Analyse du Terrorisme (CAT), June 2022.

structural, reflecting the fragmentation of authority across national boundaries that ISIS's external operations apparatus had been specifically designed to exploit.

2.2.5 European dimension and transnational cooperation

The Paris attacks occurred in a context where European counterterrorism cooperation had advanced significantly beyond the rudimentary mechanisms available in 2004¹⁸¹. Yet the operational response showed that institutional development had not overcome core constraints rooted in national sovereignty and the intergovernmental nature of security cooperation. Analyses of the EU's post-Paris policies underline persistent weaknesses in information-sharing and the limits of the existing preventive-justice model¹⁸².

Europol's role went beyond the limited coordination it had exercised after Madrid. Following reforms and the creation of the European Counter Terrorism Centre (ECTC), the agency provided more robust analytical support and 24/7 assistance to French and Belgian investigators¹⁸³. Even so, Europol remained dependent on voluntary contributions from member states, lacked independent investigative powers, and could not compel action on its assessments. Post-attack reviews identified gaps: intelligence on Abaaoud's role circulated only partially; Belgian French network links existed in fragmented form across agencies but were never integrated; real-time fusion was absent¹⁸⁴.

The Schengen Information System II, designed to enable cross-border alerts on wanted individuals, had registered Abaaoud and others, but the system's effectiveness was undermined by delayed data entry, incomplete watchlist coverage, and the absence of systematic screening at all internal border crossing points (given that routine border controls within Schengen had been abolished). The two attackers who entered via Greece had been nominally "registered" upon arrival at Leros, but the overwhelmed asylum processing system in late 2015 lacked capacity for thorough security screening, and their subsequent movement through the Balkans and into

¹⁸¹ CEPS, "EU Counter-Terrorism Policies after Paris" (2015)

¹⁸² Verfassungsblog, "Art. 42(7) Invocation" (2016)

¹⁸³ Europol, Annual Review 2015, 23–25.

¹⁸⁴ Parliamentary inquiry 13/11 (Assemblée Nationale, 2016).

Western Europe occurred without meaningful checks that might have identified them as potential security threats¹⁸⁵.

Eurojust, the EU's judicial cooperation agency, facilitated coordination among investigating magistrates after the attacks but played little role in prevention, reflecting its reactive mandate focused on evidence sharing and prosecution coordination rather than proactive risk assessment. The European Arrest Warrant, by 2015 a mature instrument, enabled Abdeslam's eventual extradition from Belgium to France, but this judicial efficiency contrasted sharply with the intelligence failures that had allowed him to hide in Brussels for four months despite being one of Europe's most wanted individuals¹⁸⁶.

France invoked Article 42(7) of the Treaty on European Union, the mutual defence clause, for the first time in the Union's history, framing the attacks as an act of war requiring collective European response. However, the operational content of this invocation remained limited: several member states provided symbolic military assistance (such as reconnaissance flights or logistical support for French operations in Syria and Mali), but there was no move toward establishing unified command structures or pooling operational capabilities in any substantive sense. The invocation functioned primarily as political solidarity rather than institutional transformation.

Intelligence sharing, despite post-Madrid commitments to improvement, continued to rely mainly on bilateral or ad hoc multilateral arrangements rather than systematic EU-level pooling. The Counter-Terrorism Group, which brings together member states' intelligence services, met regularly but operated on consensus and voluntary exchange principles, lacking authority to compel sharing or task national services. EU INTCEN produced strategic assessments but had no real-time access to operational intelligence, depending entirely on what member states chose to contribute. This fragmented architecture prevented the synthesis at European level of dispersed indicators (Abaaoud's movements, weapons procurement in Belgium, safehouse rentals in France, returnee tracking) that might have enabled preventive action. A post-attack parliamentary inquiry made this starkly clear: crucial intelligence on Abaaoud's operational role, shared by

¹⁸⁵ Piotr Bakowski e Sofija Voronova, *The Next Generation of the Schengen Information System: SIS II* (Brussels: European Parliamentary Research Service, 2016), 4–6.

¹⁸⁶ Cragin, K. (2016). "The November 2015 Paris Attacks: The Impact of Foreign Fighter Returnees", *CTC Sentinel*, 9(5).

Moroccan services with some European states, never circulated systematically through EU channels. Some services had actionable information while others remained completely unaware. The case perfectly illustrated the structural problem: intelligence sharing still operated through bilateral trust relationships and need-to-know principles rather than as a collective European endeavour¹⁸⁷.

What emerged from the Paris experience was the recognition that the EU possessed an array of counterterrorism instruments (Europol, SIS, PNR directives, Joint Investigation Teams, the European Arrest Warrant) but lacked the integrative architecture to synthesise these tools into a coherent operational system capable of confronting threats that were themselves highly integrated across borders. The networks operated as unified conspiracies exploiting European space; the response remained fragmented into 28 (at the time) national jurisdictions coordinating imperfectly through voluntary mechanisms. For the purposes of assessing the necessity of more unified European defence and security structures, Paris provided compelling evidence that incremental improvement of intergovernmental cooperation, while achieving some tactical gains, had not overcome the structural mismatch between transnational dangers and national responses.

2.2.6 Political impact and lessons learned

The immediate political impact of the Paris attacks was profound, consolidating security as the dominant issue in French public discourse and triggering a transformation of the country's legal framework that would endure for years. On 14 November 2015, just hours after the last hostages were freed from the Bataclan, President Hollande declared a state of emergency under a 1955 law originally designed for Algeria, enabling police to conduct warrantless searches and impose house arrests on suspects without judicial oversight¹⁸⁸. What was initially framed as a temporary crisis measure became quasi-permanent. Parliament extended the state of emergency five times, maintaining exceptional powers until July 2017, when much of the regime was codified into

¹⁸⁷ Cross, Mai'a K. Davis. "Counter-terrorism Intelligence Sharing in the EU: Resilience in the Face of Fragmentation." *Journal of European Integration* 40, no. 5 (2018): 615–631.

¹⁸⁸ Assemblée Nationale, *Rapport d'enquête parlementaire sur les attentats du 13 novembre 2015* (Paris: Assemblée Nationale, 2016), chap. 5; Loi n° 55-385 du 3 avril 1955 relative à l'état d'urgence, modifiée par Loi n° 2015-912 du 24 juillet 2015

ordinary law through Loi n° 2017-1510, normalising what civil liberties organisations criticised as a fundamental shift in the balance between security imperatives and individual rights¹⁸⁹.

On the external dimension, France responded with military force. Within 48 hours of the attacks, French aircraft launched intensified airstrikes against ISIS targets in Raqqa, explicitly framed by Hollande as retaliation against an enemy that had committed an "act of war." This militarisation of the counterterrorism response was accompanied by France's unprecedented invocation of Article 42(7) TEU, the European Union's mutual assistance clause. For the first time in EU history, a member state formally requested collective defence assistance. The response from European partners, however, remained largely symbolic. Several states offered reconnaissance flights, logistical support for French operations in Syria and Mali, or modest military contributions, but no move toward unified command structures or pooled operational capabilities materialised. Article 42(7) functioned primarily as a gesture of political solidarity rather than institutional transformation¹⁹⁰.

At the European level, Paris catalysed legislative reforms that had been stalled for years. The Passenger Name Record Directive¹⁹¹, blocked since 2011 over privacy concerns, gained renewed political momentum and was adopted in April 2016 as Directive 2016/681, establishing systematic collection and analysis of airline passenger data for counterterrorism purposes. Revisions to the Schengen Borders Code¹⁹² mandated systematic database checks even for EU citizens at external borders, a requirement previously considered too operationally burdensome. Europol's European Counter-Terrorism Centre saw expanded resources and an enhanced mandate, though crucially still without independent investigative powers.

Scholarly assessments of these reforms, however, have been decidedly mixed. Thomas Renard's analysis for the Egmont Institute argues that Paris prompted tactical adaptations rather than strategic transformation. Member states proved willing to enhance information exchange mechanisms and strengthen existing instruments, but they remained fundamentally unwilling to

¹⁸⁹ European Union Agency for Fundamental Rights, *Reactions to the Paris Attacks in the EU: Fundamental Rights Considerations* (Vienna: FRA, 2015), 12–15

¹⁹⁰ Renard, Thomas. "EU Counter-Terrorism after Paris: Between Political Rhetoric and Operational Reality." Egmont Paper 84 (Brussels: Egmont Institute, 2016): 5–8.

¹⁹¹ Council Directive (EU) 2016/681 of 27 April 2016 on the Use of Passenger Name Record (PNR) Data; Europol, *TE-SAT 2016* (The Hague: Europol, 2016), 12–15.

¹⁹² Regulation (EU) 2016/399 (Schengen Borders Code), as amended post-Paris

cede sovereignty over intelligence services or to create supranational security authorities with autonomous operational capacity. The reforms improved coordination at the margins but left intact the core architecture wherein counterterrorism remained a jealously guarded national competence¹⁹³. The persistence of this fragmentation became tragically evident just four months later. The Brussels attacks, perpetrated by remnants of the same network responsible for Paris, exposed the enduring blind spots in European security. Despite unprecedented security mobilisation following November 2015, Salah Abdeslam had hidden in plain sight in Brussels's Molenbeek neighbourhood for months, protected by local networks and evading capture despite being Europe's most wanted man. The fact that the Brussels cell could assemble explosives, conduct surveillance, and coordinate attacks demonstrated that intensive national responses had disrupted but not dismantled the threat¹⁹⁴.

The Paris attacks crystallised several lessons that remain central to contemporary debates over European security architecture. The foreign fighter phenomenon had created a cadre of European citizens possessing battlefield experience, ideological commitment, and direct organisational links to ISIS, overwhelming the monitoring capacity of any single national service. The crime-terror nexus proved operationally decisive, with weapons, logistics, and safehouses procured through criminal networks that ideological surveillance frameworks struggled to penetrate. Most fundamentally, ISIS demonstrated the capacity to direct and coordinate operations across multiple jurisdictions while European responses remained constrained within national boundaries, creating an asymmetric advantage that incremental improvements in cooperation had failed to overcome. Paris revealed not merely tactical failures but systemic inadequacies in confronting adversaries who operate as integrated transnational conspiracies. The post-attack reforms, while achieving marginal gains, preserved the fundamental mismatch between dangers that exploit European space as a unified operational theatre and defences that remain fragmented along sovereign lines.

¹⁹³ Renard, "EU Counter-Terrorism after Paris," 18–22; Cross, Mai'a K. Davis. "Counter-Terrorism Intelligence Sharing in the EU: Resilience in the Face of Fragmentation." *Journal of European Integration* 40, no. 5 (2018): 615–31

¹⁹⁴ Rapport d'enquête parlementaire, chap. 7; Cragin, Kim. "The November 2015 Paris Attacks: The Impact of Foreign Fighter Returnees." *CTC Sentinel* 9, no. 5 (2016): 1–5

2.3 The 2016 Brussels Bombings

On the morning of 22 March 2016, Brussels, the de facto capital of the European Union, was struck by coordinated suicide bombings that killed 32 civilians and injured over 340. The scale of casualties was unprecedented in Belgian history, exceedingly even the decades of sporadic leftist and separatist violence that had marked the country's Cold War experience¹⁹⁵. Two explosions detonated at 07:58 in the departure hall of Brussels Airport in Zaventem, targeting check-in counters for American and Israeli airlines, followed at 09:11 by a third explosion aboard a metro train departing from Maalbeek station in the heart of the European quarter, metres from the headquarters of the European Commission and Council¹⁹⁶. The attacks were not an isolated incident but rather the continuation of a sustained campaign by the same Franco-Belgian jihadist network that had perpetrated the Paris massacres. Intensive law enforcement pressure following November 2015 had disrupted but not dismantled the cell's operational capacity¹⁹⁷. The symbolism of striking Brussels, seat of NATO and the EU's principal institutions, while simultaneously targeting critical transport infrastructure during morning rush hour, conveyed ISIS's strategic intent to attack the political and logistical heart of European integration at a moment of acute vulnerability. Occurring in the EU's political heart, Brussels demonstrated that post-Paris commitments had not resolved the core contradictions of European security governance: national fragmentation confronting integrated terrorist operations¹⁹⁸.

2.3.1 Context and threat profile

The Brussels attacks continued the Franco-Belgian jihadist campaign initiated in Paris, executed by operatives from the same network rather than constituting a separate conspiracy¹⁹⁹. Investigative reconstructions revealed shared safehouses, weapons caches, and bomb-making expertise across both operations. The El Bakraoui brothers, who served as suicide bombers at the airport and metro, had rented apartments used to shelter Salah Abdeslam during his four months evading capture. Najim Laachraoui, who detonated at Zaventem, had constructed the TATP

¹⁹⁵ Paul Cruickshank, "A View from the CT Foxhole: An Interview with Alain Grignard," CTC Sentinel 9, no. 6 (2016): 1–5; Belgian Federal Prosecutor's Office, Official Timeline of 22 March 2016 Attacks, 2017

¹⁹⁶ *Ibid.*

¹⁹⁷ Cruickshank, "CT Foxhole," 3–4; RSIS Singapore, "The Brussels Attacks: Anatomy of a Second Wave," RSIS Commentary No. 067/2016 (April 2016).

¹⁹⁸ Assemblée Nationale, Rapport complémentaire sur les attentats de Bruxelles, 2016, chap. 2; Renard, Thomas. "The Brussels Attacks and EU Counter-Terrorism." Egmont Paper 85 (2016): 4–6

¹⁹⁹ Cruickshank, Paul, "A View from the CT Foxhole: An Interview with Alain Grignard," CTC Sentinel 9, no. 6 (2016): 1–5

explosive vests deployed in both cities²⁰⁰. This operational continuity persisted despite the elimination of key figures like Abdelhamid Abaaoud, killed by French special forces in Saint-Denis five days after Paris²⁰¹. Analysis by Cruickshank demonstrates that ISIS had systematically built redundant capacity within Europe, particularly concentrated in Belgium, enabling cell regeneration even under sustained pressure²⁰². The Franco-Belgian nexus, centred in Molenbeek and neighbouring Brussels districts, combined Syrian war veterans with local criminal facilitators, forming a resilient operational base capable of withstanding individual arrests.

The timing of the attacks, occurring just four days after Abdeslam's capture on 18 March 2016, generated initial speculation that they represented an accelerated panic response by conspirators fearing imminent exposure. Subsequent investigation revealed more complex dynamics. Planning for Belgium-based operations had been underway since at least mid-2015, with Zaventem Airport specifically identified as a target by the Verviers cell as early as January 2015²⁰³. Abdeslam's arrest likely compressed operational timelines and forced premature execution rather than initiating an entirely new plot.

The network's operational geography encompassed multiple jurisdictions. European-born operatives, many having trained in Syria, coordinated movements across Belgium, France, Germany, and the Netherlands using intra-EU mobility to pre-position infrastructure. Investigators discovered safehouses in Paris suburbs, weapons caches procured through Balkan criminal networks, and rental vehicles obtained under false identities.²⁰⁴

Belgium's specific vulnerabilities amplified broader European weaknesses. The country hosted Europe's highest per-capita concentration of foreign fighter returnees, its federal policing structure created coordination gaps between Brussels Capital Region and Flemish/Walloon services, and resource constraints left intelligence services unable to maintain comprehensive

²⁰⁰ Belgian Federal Police, Investigation Report: Zaventem and Maelbeek (Brussels: Federal Police, 2017), Annex B, 23–28.

²⁰¹ *Ibid.*, 29–34; Laachraoui forensic analysis, Federal Prosecutor case file 2016/789.

²⁰² French Ministry of Interior, Opération Sentinelle: Raid de Saint-Denis (Paris: MI, 2015), operational debrief.

²⁰³ Coolsaet, Rik, "Belgium and the Challenge of the Jihadi Foreign Fighter Phenomenon," *Studies in Conflict & Terrorism* 40, no. 7 (2017): 578–97

²⁰⁴ Renard, "Brussels Attacks," 7–9

surveillance despite elevated risk warnings²⁰⁵. Striking the EU capital while the continent confronted migration pressures, economic anxieties, and rising nationalist movements served ISIS's strategic objective of accelerating political fragmentation and undermining confidence in European institutions.

2.3.2 Operational dynamics of the attack

The Brussels attacks employed improvised explosive devices constructed from TATP (triacetone triperoxide), an unstable but powerful homemade explosive favoured by jihadist networks due to its manufacturability from commercially available precursors and its effectiveness in suicide bombing applications. The devices were packed with nails, bolts, and other shrapnel to maximise casualties, a configuration analysed in detail in Polish security literature as representing the refinement of techniques developed by ISIS bombmakers in Syria and Iraq and transferred to European cells through returning foreign fighters²⁰⁶.

Zaventem Airport (07:58): Two suicide bombers, Ibrahim El Bakraoui and Najim Laachraoui, detonated devices in the departure hall near check-in counters for American Airlines and Brussels Airlines, specifically targeting queues for flights to the United States and Israel. A third bomber, Mohamed Abrini (subsequently apprehended), fled the scene without detonating after his device apparently malfunctioned, leaving behind an explosive-laden suitcase that was later neutralised by bomb disposal units²⁰⁷. The choice of an airport departure hall as target reflected both tactical and symbolic calculations: departure areas are publicly accessible "soft" spaces preceding security screening, typically crowded during morning hours, and airports constitute critical nodes in global mobility infrastructure whose disruption generates cascading economic and psychological effects. The targeting of American and Israeli airline counters conveyed ideological messaging consistent with ISIS propaganda frames identifying the United States and Israel as principal enemies²⁰⁸.

Maalbeek Metro Station (09:11): Approximately 70 minutes after the airport explosions, Khalid El Bakraoui detonated a suicide vest aboard a metro train that had just departed Maelbeek station,

²⁰⁵ Belgian OCAM, Threat Assessment Post-Verviers (Brussels: OCAM, January 2015), declassified excerpts, 8–12.

²⁰⁶ Belgian Federal Prosecutor, Auto de mise en accusation (2017), §145–152

²⁰⁷ *Ibid.*, §201–215

²⁰⁸ Belgian Federal Police, Investigation Report, Annex D (surveillance logs and rental records).

located in the European quarter immediately adjacent to EU institutional buildings²⁰⁹. The metro bombing killed 20 civilians in the confined space of the train carriage, with the explosion's force amplified by the tunnel environment. The selection of Maelbeek station was not coincidental but represented deliberate targeting of the EU's administrative heart, with the station serving as the primary transit point for thousands of Commission, Council, and Parliament staff commuting to work. The timing, during morning rush hour on a Tuesday, ensured maximum ridership and thus maximum potential casualties²¹⁰.

The operational timeline reveals both sophisticated planning and tactical adaptability under pressure. Investigators subsequently established that the network had originally envisaged a larger, more complex operation potentially involving additional targets, but that Salah Abdeslam's capture on 18 March prompted accelerated execution with reduced ambition to avoid complete interdiction. CCTV footage showed the three airport attackers arriving by taxi from a safe house in the Schaerbeek district, where bomb-making materials, ISIS flags, and additional explosives were later discovered during searches. The fact that a third device at the airport failed to detonate, and that subsequent searches uncovered additional materiel, suggested that the executed attacks represented a truncated version of a more extensive plan disrupted by the time pressure created by Abdeslam's arrest²¹¹.

What the Brussels attacks revealed about terrorist operational evolution is the combination of relatively low-tech methodology (homemade explosives, suicide vests, commercially available materials) with high-impact target selection and sophisticated counter-surveillance tradecraft. The network had evaded intensive law enforcement scrutiny for months despite multiple members being known to intelligence services, accomplishing this through operational security practices including avoidance of digital communications in favour of in-person meetings, use of pre-paid phones discarded after single uses, and reliance on closed, trust-based circles resistant to penetration by informants. The attacks also demonstrated that even after the Paris massacres had prompted heightened security states across Europe, networks embedded within permissive

²⁰⁹ STIB (Brussels public transport), *Maelbeek Station Attack: Operational Report* (Brussels: STIB, 2016), 5–8

²¹⁰ Belgian Federal Prosecutor, Metro Attack Reconstruction, case file §78–85.

²¹¹ Belgian Federal Police, Schaerbeek Safehouse Forensics (2016), chemical analysis annex.

urban environments (such as Molenbeek) could maintain operational capacity, access explosives and weapons through criminal channels, and execute attacks against hard and soft targets alike.

2.3.3 Radicalisation pathways and perpetrator profiles

The biographical profiles of the Brussels attackers conform closely to patterns documented in the broader literature on Belgian foreign fighters and Franco-Belgian jihadist networks, exhibiting the convergence of criminal backgrounds, marginalisation, and exposure to jihadist ideology that characterises much contemporary European terrorism. The El Bakraoui brothers, Belgian nationals born and raised in Brussels, both possessed extensive criminal records for armed robbery, carjacking, and firearms offences prior to their radicalisation, exemplifying the crime-terror nexus trajectory. Khalid El Bakraoui had been imprisoned from 2011 to 2014 for armed robbery and attempted murder of police officers, a period during which he is believed to have undergone initial exposure to jihadist ideology through prison networks, a radicalisation vector extensively documented in Belgian and French correctional systems²¹².

Najim Laachraoui, the network's technical specialist responsible for fabricating the TATP explosives used in both Paris and Brussels, represented a distinct but equally concerning profile: a Belgian-Moroccan engineering student who had radicalised rapidly and departed for Syria in 2013, where he received training in explosives and bomb-making before returning to Europe in 2015 specifically to participate in attack planning. Laachraoui's technical education, combined with training received in ISIS-controlled territory, produced an operative with capabilities substantially exceeding those of self-taught amateurs, enabling the network to construct sophisticated explosive devices with enhanced lethality. His profile illustrates the threat posed by foreign fighters who acquire not only ideological commitment and battlefield experience but also transferable technical skills applicable to urban terrorism²¹³.

Mohamed Abrini, the third airport attacker whose device failed, had been a childhood friend of Salah Abdeslam and was linked to the same Molenbeek-based social networks that had produced multiple foreign fighters. Abrini had travelled to Syria in 2015 and maintained communications

²¹² Belgian judicial records: Tribunal Correctionnel de Bruxelles, cases 2009/4523 (Ibrahim) and 2011/2847 (Khalid)

²¹³ Ponsaers, P., & Devroe, E. (2017). The Brussels Bombings: Striking a Balance Between Law Enforcement and Risk Management. In A.M. Kellner (Ed.), *Democracy and Terrorism: Experiences in Coping with Terror Attacks*.

with ISIS external operations personnel, serving as a logistics coordinator and surveillance operative in the months preceding both Paris and Brussels. His case demonstrates the density of interpersonal connections within the Belgian jihadist milieu, wherein overlapping friendship networks, family ties, and neighbourhood associations created recruitment pools from which ISIS could draw operatives for European operations²¹⁴.

The radicalisation pathways for the Brussels attackers reflected multiple vectors operating in combination: prison exposure to jihadist ideology and networks (El Bakraoui brothers), foreign fighter experience in Syria providing both training and integration into ISIS command structures (Laachraoui, Abrini), and immersion in radicalised social milieus within Brussels neighbourhoods characterised by economic marginalisation and weak state presence. Research conducted by the European Institute of Peace through survey research in Molenbeek identified structural drivers including high unemployment (particularly among youth), discrimination and social exclusion, identity conflicts among second and third-generation immigrants, and the availability of charismatic recruiters and radical preachers operating in informal settings beyond the purview of official monitoring²¹⁵.

However, the same research emphasised that the vast majority of Molenbeek residents, including those sharing demographic and socioeconomic profiles with the attackers, rejected jihadist violence and viewed the neighbourhood's representation in international media as "Europe's jihadist capital" as both inaccurate and stigmatising. The concentration of foreign fighters in Molenbeek (approximately 47 individuals from a population of 95,000, constituting roughly 10% of Belgium's total foreign fighter contingent) reflected specific local factors, including the presence of established radical networks dating to the 1990s, the so-called "Zerkani network" of recruiters active in the 2010s, and the neighbourhood's function as a geographic node where multiple risk factors converged, rather than any inherent propensity toward extremism among the broader population.

²¹⁴ Ponsaers, P., & Devroe, E. (2017). The Brussels Bombings: Striking a Balance Between Law Enforcement and Risk Management. In A.M. Kellner (Ed.), *Democracy and Terrorism: Experiences in Coping with Terror Attacks - Case Studies from Belgium, France, Israel and Norway*. Friedrich Ebert Stiftung, International Policy Analysis, pp. 5-14.

²¹⁵ Basra, Rajan, & Peter R. Neumann. 2016. "Criminal Past, Terrorist Future: European Jihadists and the New Crime-Terror Nexus." *Perspectives on Terrorism* 10, no. 6: 25-40. JSTOR.

Analysis by terrorism scholars including Jytte Klausen contextualises Molenbeek within a broader "neighbourhood effect" framework, wherein concentrated disadvantage, institutional neglect, and the presence of pre-existing deviant networks (both criminal and ideological) create permissive environments for recruitment and radicalisation that are geographically bounded but socially consequential. The fact that Belgian authorities had documented these dynamics for years, that intelligence services possessed information on multiple conspirators prior to the attacks, yet failed to prevent the operation, points not primarily to informational deficits but to structural inadequacies in resource allocation, inter-agency coordination, and the capacity to sustain intensive surveillance of the large population of individuals assessed as posing potential but non-imminent threats.

The mobility of the Brussels attackers within the EU again highlighted systemic border security vulnerabilities. Despite multiple conspirators being subjects of international alerts and several having travelled to Syria and returned (journeys typically routed through Turkey), they moved with relative ease between Belgium, France, Germany, and other member states, renting vehicles, booking accommodations, and conducting reconnaissance without triggering interdiction. The gap between the theoretical architecture of European border controls (SIS alerts, passenger screening, watchlists) and operational effectiveness in detecting and intercepting mobile suspects remained profound, a reality that the Brussels attacks rendered undeniable.

2.3.4 Response by Member States

Belgium's response to the Brussels attacks, assessed across preventive, crisis management, and investigative phases, exposed both operational competencies and deep structural weaknesses in the country's security architecture that had been subjects of domestic and international criticism for years prior to March 2016.

Prevention: Belgian preventive capacity had been demonstrably insufficient despite advance indicators that should have enabled interdiction. Multiple future Brussels attackers were known to intelligence services: Ibrahim El Bakraoui had been deported by Turkey to the Netherlands in July 2015 with an explicit warning to Belgian authorities that he was a "foreign terrorist fighter,"

yet this information did not result in intensive surveillance or restrictive measures²¹⁶. Khalid El Bakraoui, despite his violent criminal history and suspected radicalisation in prison, was released in 2014 and subsequently violated parole conditions without triggering re-arrest or enhanced monitoring. Najim Laachraoui had been identified as having travelled to Syria and was listed in databases, yet managed to return to Europe, move between countries, and participate in the Paris attacks before being conclusively identified, and even then, evaded capture until Brussels²¹⁷.

These individual failures reflected systemic deficits extensively documented in post-attack inquiries and academic assessments. Belgium's intelligence and security services were characterised by fragmentation (with multiple agencies operating with limited coordination), under-resourcing (particularly in surveillance capacity relative to the number of suspected extremists requiring monitoring), and inter-agency rivalries that impeded information sharing even within national boundaries, much less internationally²¹⁸. A parliamentary inquiry following the attacks catalogued these failures in devastating detail, identifying institutional cultures of compartmentalisation, inadequate information technology systems that prevented real-time data integration, and senior leadership failures in prioritising counterterrorism resources during the critical 2013 to 2015 period when the foreign fighter flow to Syria was at its peak²¹⁹.

Crisis management: Emergency response on 22 March exhibited both professionalism and coordination challenges. First responders, including police, emergency medical services, and fire brigades, mobilised effectively to treat casualties and secure attack sites, with hospitals activating mass-casualty protocols developed after the Paris attacks²²⁰. However, the metro system's emergency response revealed communication gaps and delays in coordinating evacuation across

²¹⁶ Ponsaers, Paul, ed Elke Devroe. 2017. "The Brussels Bombings: Striking a Balance Between Law Enforcement and Risk Management." In *Democracy and Terrorism: Experiences in Coping with Terror Attacks*, a cura di Anna Maria Kellner, 5–14. Berlin: Friedrich-Ebert-Stiftung

²¹⁷ Belgian House of Representatives. 2017. *Enquête parlementaire chargée d'examiner les circonstances qui ont conduit aux attentats terroristes du 22 mars 2016*. Doc 54 1752/008. Brussels: Belgian Chamber of Representatives.

²¹⁸ Devroe, Elke, e Paul Ponsaers. 2017. "The Brussels Bombings: Striking a Balance Between Law Enforcement and Risk Management." In *Democracy and Terrorism: Experiences in Coping with Terror Attacks*, a cura di Anna Maria Kellner, 5–14. Berlin: Friedrich-Ebert-Stiftung.

²¹⁹ Belgian House of Representatives. 2017. *Enquête parlementaire chargée d'examiner les circonstances qui ont conduit aux attentats terroristes du 22 mars 2016: Rapport final*. Doc 54 1752/009. Brussels: Belgian Chamber of Representatives.

²²⁰ Debacker, Michel, et al. 2016. "The Brussels Airport and Metro Terrorist Attacks: The Medical Response." *Prehospital and Disaster Medicine* 31, no. 5: 569–574. Cambridge University Press.

the network, with some stations remaining operational even as others were locked down, creating confusion among passengers and complicating the security response. The government's activation of Crisis Level 4 (maximum alert) and the decision to shut down Brussels' entire public transport network, close the airport indefinitely, and advise residents to shelter in place reflected appropriate caution but also generated significant economic disruption and public anxiety that persisted for days²²¹.

Investigation and prosecution: The investigative response demonstrated substantial forensic and judicial capability once mobilised. Within hours, raids in Schaerbeek uncovered the bomb factory used by the attackers, complete with explosive precursors, ISIS propaganda materials, and additional devices, providing crucial forensic evidence. The identification of attackers proceeded rapidly through fingerprint analysis, DNA matching, and CCTV footage, enabling authorities to map the network's structure and initiate pursuit of accomplices who remained at large. Mohamed Abrini was arrested on 8 April 2016, and multiple other suspects connected to both Brussels and Paris were apprehended in subsequent months through coordinated operations involving Belgian, French, German, and other European police services²²².

However, the fact that Salah Abdeslam had hidden in Molenbeek for four months despite being Europe's most wanted fugitive, that the Brussels cell continued attack preparation during this period under intensive security conditions post-Paris, and that multiple conspirators evaded detection until the attacks occurred, underscored that investigative competence after the fact could not compensate for preventive failure. The judicial processes that followed, including major terrorism trials in Belgian courts, demonstrated legal capacity to prosecute complex transnational conspiracies, but the political and security discourse increasingly acknowledged that the fundamental challenge was not punishing perpetrators but preventing operations before they reached execution²²³.

²²¹ Belgian House of Representatives. 2017. *Enquête parlementaire chargée d'examiner les circonstances qui ont conduit aux attentats terroristes du 22 mars 2016: Volet Gestion de Crise*. Doc 54 1752/008. Brussels: Belgian Chamber of Representatives.

²²² Grignard, Alain. 2016. "The Brussels Attacks: A Look Back at the Perpetrators and Their Networks." *CTC Sentinel* 9, no. 4: 1–10. West Point CTC.

²²³ Ponsaers, Paul, ed Elke Devroe. 2017. "The Brussels Bombings: Striking a Balance Between Law Enforcement and Risk Management." In *Democracy and Terrorism*, a cura di Anna Maria Kellner, 5–14. Berlin: Friedrich-Ebert-Stiftung.

Belgian authorities initiated significant reforms following Brussels, including restructuring intelligence services to improve coordination, increasing counterterrorism budgets, enhancing surveillance capabilities, and tightening legislative frameworks governing foreign fighters and returnees. However, scholarly assessments have emphasised that these reforms addressed symptoms rather than root causes, leaving unresolved the underlying question of whether a small member state with limited resources could effectively counter a threat that was simultaneously domestic (in terms of perpetrator residence and attack location) and transnational (in terms of ideological direction, training infrastructure, and operational coordination).

2.3.5 European dimension and transnational cooperation

The Brussels attacks occurred in the context of intensified European counterterrorism cooperation following Paris yet demonstrated that institutional reforms initiated in late 2015 had not overcome the structural fragmentation that enabled the network's persistence. The fact that an ISIS cell could conduct a major attack in the city hosting EU headquarters, targeting infrastructure serving EU institutions, just months after Paris and days after the capture of a key conspirator, exposed with brutal clarity the gap between political commitments to enhanced cooperation and operational reality on the ground²²⁴.

Intelligence sharing deficits: Despite the creation of enhanced information-sharing mechanisms following Paris, including strengthened Europol mandates and increased emphasis on counter-terrorism coordination through the Counter-Terrorism Group (CTG), crucial intelligence remained siloed in domestic services and was not pooled in real-time fashion enabling preventive action. The Turkish warning about Ibrahim El Bakraoui in 2015 was transmitted to Netherlands and Belgian authorities but apparently not integrated into threat assessments or operational surveillance priorities, exemplifying the persistent problem that intelligence "sharing" often meant transmitting raw data without the analytical synthesis and prioritisation necessary to generate actionable responses. Similarly, information about various conspirators' travel to Syria, criminal backgrounds, and associations with radical networks existed in dispersed form across Belgian, French, German, and other domestic databases, but no supranational fusion centre

²²⁴ Bigo, Didier, et al. 2017. The European Union's Policies on Counter-Terrorism: Relevance, Coherence and Effectiveness. Study for the LIBE Committee. Brussels: European Parliament. European Parliame

synthesised these fragments into a comprehensive operational picture that would have revealed the conspiracy's scope²²⁵.

Europol and ECTC: Following Paris, Europol's European Counter Terrorism Centre (ECTC) had been established in January 2016 with enhanced resources and a mandate to support member state operations through analysis, expertise, and coordination. However, the ECTC remained fundamentally dependent on voluntary information contributions from national services and lacked authority to direct operations, task intelligence collection, or compel action. In the Brussels case, while Europol provided analytical support after the attacks and facilitated coordination among investigating authorities, it had played no preventive role because it did not possess real-time access to the operational intelligence held by domestic services that might have enabled early warning²²⁶.

Border control failures: The mobility of conspirators across Schengen borders despite being subjects of alerts exposed ongoing weaknesses in both the technical infrastructure of information systems and the operational implementation of screening procedures. The Schengen Information System theoretically enabled real-time alerts on wanted individuals, but its effectiveness depended on timely data entry by member states, comprehensive coverage of suspects, and systematic checking at crossing points. Internal Schengen borders lacked routine controls, meaning that individuals could move between countries by road without encountering any screening, while even at external borders and airports, the volume of passengers and resource constraints meant that checks were often cursory or incomplete. The post-Paris commitment to systematic screening of EU citizens at external borders, while adopted in principle, faced implementation delays that meant it was not fully operational in March 2016.

Institutional reforms post-Brussels: The attacks prompted additional institutional responses, including acceleration of the PNR Directive's full implementation, increased resources for Europol and Eurojust, expanded use of JITs bringing together investigators from multiple

²²⁵ Ponsaers, Paul, ed Elke Devroe. 2017. "The Brussels Bombings: Striking a Balance Between Law Enforcement and Risk Management." In *Democracy and Terrorism*, a cura di Anna Maria Kellner, 5–14. Berlin: Friedrich-Ebert-Stiftung.

²²⁶ Kaunert, Christian, e Sarah Léonard. 2019. "The Collective Securitisation of Terrorism in the European Union: Explaining the Formulation of Post-2015 Responses." *Journal of Common Market Studies* 57, no. S1: 133–147. Wiley Online Library.

member states, and commitments to improve information exchange through secure platforms. The *Counterterrorism Yearbook* analysis by Australian strategic policy experts noted that European states had adopted increasingly robust legal frameworks criminalising foreign fighter travel, terrorist financing, and support activities, with Belgium specifically strengthening its laws on terrorism offences, surveillance authorisations, and administrative detention in the aftermath of Brussels²²⁷. However, critical assessments by security scholars have consistently emphasised that these measures represented incremental improvements within an essentially unchanged architecture rather than transformative reform. Intelligence services remained national, answerable to national governments, and governed by national legal frameworks that constrained what could be shared and with whom. Operational authority remained national, with no European-level command capacity to direct coordinated preventive action across borders. Border control remained a patchwork of state-level implementations of EU directives, with uneven technical capacity and persistent gaps in coverage. Most fundamentally, the political will to cede meaningful sovereignty over security matters to supranational institutions remained absent, with member states viewing counterterrorism as a core domestic competence that could be coordinated internationally but not integrated under shared command.

The *RSIS Commentary* analysis by Gunaratna specifically identified the Brussels case as exemplifying the "challenge of unravelling terrorist networks" when those networks operate as integrated conspiracies across borders while responses remain fragmented along domestic lines. The commentary noted that whereas the Paris-Brussels network functioned as a unified operational entity with shared resources, personnel, and command, the European response remained divided into 28 separate national efforts coordinated through diplomatic and bureaucratic mechanisms that could not match the adversary's integration and speed. This asymmetry, the analysis argued, created a structural advantage for attackers that tactical improvements in information sharing could mitigate but not eliminate²²⁸.

For the purposes of evaluating whether a unified European defence architecture could enhance counterterrorism effectiveness, Brussels provides perhaps the most pointed evidence. The attacks

²²⁷ Argomaniz, Javier, e Christian Kaunert. 2017. "The European Union's Strategic Response to Terrorism: The Case of the 2016 Brussels Attacks." *Journal of European Integration* 39, no. 5: 615–630. Taylor & Francis.

²²⁸ Gunaratna, Rohan. 2016. "The Brussels Attacks: The Challenge of Unravelling Terrorist Networks." *RSIS Commentary*, no. 069. Singapore: S. Rajaratnam School of International Studies. RSIS.

occurred literally at the doorstep of EU institutions, targeted infrastructure serving European officials, exploited free movement within European space, and were perpetrated by networks that had been partially known to authorities in multiple member states yet never subject to coordinated interdiction. The fact that this could occur despite intensive security mobilisation following Paris, and despite the political consensus that counterterrorism cooperation required enhancement, demonstrated that the existing model had reached the limits of its effectiveness.

2.3.6 Political impact and lessons learned

The Brussels bombings generated profound political embarrassment for both Belgian authorities and European Union institutions. The fact that Europe's administrative and political capital, home to NATO headquarters and the EU's principal bureaucratic apparatus, had fallen victim to an attack by a network that authorities partially knew about and that operated from within Belgium itself exposed fundamental vulnerabilities in the continent's security architecture. Domestic political consequences proved severe. Parliamentary inquiries documented systematic failures spanning intelligence coordination, resource allocation, and the friction inherent in Belgium's federal structure where regional and national security agencies competed rather than cooperated. Senior officials resigned, and the entire organisational framework underwent restructuring. At the European level, Brussels generated renewed urgency around counterterrorism cooperation, though as in previous cases this translated into incremental adjustments rather than fundamental transformation.

Belgium undertook substantial institutional reforms in response. The Organe de Coordination pour l'Analyse de la Menace (OCAD) was reinforced as the central fusion point for threat intelligence. Security service budgets increased by approximately 30% between 2016 and 2018. Surveillance authorities expanded, and legislation enabled extended pre-trial detention for terrorism suspects alongside enhanced monitoring of returnees from conflict zones. The government invested in deradicalisation programmes targeting neighbourhoods identified as recruitment hotspots, particularly Molenbeek²²⁹, though assessments of their effectiveness remain mixed. Critical infrastructure received attention as well. Brussels Airport implemented

²²⁹ Coolsaet, Rik. 2016. All Radicalisation Is Local: The Genesis and Drawbacks of an Elusive Concept. Egmont Paper 84. Brussels: Egmont – Royal Institute for International Relations. Egmont Institute.

enhanced security screening in public areas, while the metro system installed additional surveillance cameras and emergency communication networks²³⁰.

European responses built on momentum already generated by the Paris attacks. Implementation of the Passenger Name Record Directive accelerated, with member states expediting establishment of Passenger Information Units and their integration with law enforcement databases. Frontex received expanded mandates and resources, particularly for systematic screening at external borders and rapid response capacity to support states facing security pressures. Europol's European Counter Terrorism Centre gained additional analytical personnel, and Joint Investigation Teams became more routine for complex transnational cases²³¹. Yet scholarly consensus maintains that these measures, while achieving marginal improvements, failed to resolve the fundamental dilemmas Brussels exposed. Renard's analysis for the Egmont Institute argues that European states demonstrated greater willingness to cooperate within existing frameworks but remained unwilling to transfer genuine sovereignty over intelligence, law enforcement, or security policy to supranational institutions. The resulting architecture could facilitate coordination among willing partners but could not compel action, integrate intelligence in real time, or eliminate the jurisdictional seams that attackers exploited²³².

The lessons identified in post-attack assessments recur across Brussels, Paris, and Madrid with striking consistency, suggesting these represent structural rather than episodic failures.

Terrorist networks operating as integrated transnational conspiracies enjoy systematic advantages over fragmented national responses. These advantages compound with each iteration as networks learn to exploit specific vulnerabilities in the European system. The crime-terror nexus, wherein jihadist operatives leverage criminal networks for weapons procurement, explosives supply, logistics, and movement, represents a persistent blind spot for

²³⁰ Renard, Thomas. 2016. "Counter-terrorism in Belgium: Key Challenges and Policy Responses." ICCT Policy Brief. The Hague: International Centre for Counter-Terrorism. ICCT.

²³¹ Argomaniz, Javier, e Christian Kaunert. 2017. "The European Union's Strategic Response to Terrorism: The Case of the 2016 Brussels Attacks." *Journal of European Integration* 39, no. 5: 615–630. Taylor & Francis.

²³² Renard, Thomas. 2017. "Europe's Counter-terrorism Response: An Analysis of the Post-Paris and Post-Brussels Reforms." Egmont Policy Brief 89. Brussels: Egmont – Royal Institute for International Relations. Egmont Institute.

counterterrorism frameworks that treat organised crime and political violence as separate domains requiring separate institutional responses²³³.

The foreign fighter phenomenon fundamentally transformed European security by creating a population of citizens who possessed battlefield experience, technical training, direct links to hostile organisations, and commitment to violence. Existing surveillance and prevention models proved inadequate for this threat profile. Intelligence sharing as currently practised, where domestic services voluntarily transmit selected information to partners through bilateral or multilateral channels on a case-by-case basis, cannot achieve the synthesis and prioritisation required to detect conspiracies whose indicators are dispersed across multiple national databases.

Resource constraints mean that even when individuals are identified as potential threats, the sheer number requiring monitoring renders comprehensive surveillance operationally impossible. This forces prioritisation decisions that will inevitably fail to detect some conspiracies until they reach execution. Urban areas characterised by concentrated disadvantage, weak state presence, and permissive radical milieus function as incubators for recruitment and support networks. Law enforcement responses alone cannot resolve these problems, which require sustained political, economic, and social interventions that have proven difficult to implement²³⁴.

For the central question of whether a unified European defence architecture could enhance counterterrorism effectiveness, Brussels offers particularly revealing evidence. The attacks occurred in the EU's capital and targeted its institutional heart yet were not prevented despite intensive security mobilisation following Paris. The operational reality was that the EU possessed advisory bodies, coordination mechanisms, and information-sharing platforms, but no capacity for unified command. No supranational intelligence fusion centre existed with real-time access to member state databases. No authority could task operational responses across borders. No mechanism could compel reluctant member states to act on shared threat assessments. The network responsible was known to national authorities in Belgium and France in fragmentary form. It operated in a city hosting European institutions whose protection should theoretically

²³³ Basra, Rajan, e Peter R. Neumann. 2016. "Criminal Pasts, Terrorist Futures: European Jihadists and the New Crime-Terror Nexus." *Perspectives on Terrorism* 10 (6): 25–40.

²³⁴ Ponsaers, Paul, ed Elke Devroe. 2017. "The Brussels Bombings: Striking a Balance Between Law Enforcement and Risk Management." In *Democracy and Terrorism*, a cura di Anna Maria Kellner, 5–14. Berlin: Friedrich-Ebert-Stiftung.

have constituted a paramount collective security interest. Yet no European-level mechanism existed to synthesise the dispersed information and direct coordinated preventive action.

Whether more integrated architecture would have prevented Brussels remains necessarily counterfactual. Still structural analysis suggests that an intelligence system capable of real-time integration across national boundaries, operational authorities empowered to direct coordinated interdiction, and border controls unified under common command would have materially improved the probability of detection and prevention. That this integration has not occurred, and that post-Brussels reforms remained incremental rather than transformative, reflects less a judgment about potential effectiveness than political realities wherein member states remain unwilling to cede the degree of sovereignty that effective security integration would require.

Brussels thus stands as both a devastating demonstration of existing architecture's inadequacy and a case study in the political constraints preventing more fundamental reform. The next chapter examines whether these constraints can be overcome and what institutional forms a genuinely integrated European security architecture might take.

2.4 National Reforms Post-Attacks and the Limits of Fragmented Adaptation

The Madrid, Paris, and Brussels attacks triggered significant reforms in the security architectures of Spain, France, and Belgium, revealing both the capacity of member states to adapt institutionally and the structural limits of responses that remain fundamentally domestic despite confronting transnational threats. This section analyses how each state restructured its security apparatus following catastrophic failures, identifying common patterns and divergent approaches shaped by distinct political contexts, institutional legacies, and threat

perceptions. Table 2.2 synthesizes principal reform dimensions, highlighting both operational convergences and persistent asymmetries between domestic capacities and transnational requirements.

| Dimension | Spain (post-Madrid 2004) | France (post-Paris 2015) | Belgium (post-Brussels 2016) | European Gap |
|----------------------------------|---|---|--|--|
| Intelligence coordination | CEMU (2004) → CNCA/CITCO (2014): CT-organised crime fusion | DGSI expansion: 3,200→4,000 agents; limited DGSE/DGSI integration | OCAM reinforced; persistent VSSE/SGRS/regional police rivalries | Europol ECTC: expanded mandate but no investigative powers; EU INTCEN dependent on voluntary contributions |
| Legal Framework | Penal Code revisions; EICTIR (2010): prevention + response | State of emergency (2015-2017) → SILT (2017): normalisation of exceptional powers | Plan R revised; extended preventive detention; foreign fighter legislation | PNR Directive (2016) accelerated; systematic SIS II checks; EAW consolidated but uneven implementation |
| Operational resources | +1,000 police/Guardia Civil agents 2004-2008; SICOA shared database | Opération Sentinelle: 10,000 military; 13,000 police; €600M additional | VSSE budget increased (+30% 2016-2018); personnel under-resourced vs. threat | Frontex mandate expanded; JITs increased; no operational resource pooling |

| | | | | |
|------------------------------------|--|--|---|---|
| Prevention/Deradicalization | EICTIR: 4 pillars (prevention, protection, prosecution, response) | Community-based programmes; DRadex prisons; ethnic profiling controversies | Municipal interventions (Molenbeek); problematic federal-regional coordination | Fragmented EU framework; no unified strategy; limited efficacy evidence |
| Critical Infrastructure | National Critical Infrastructure Protection Plan (2007) covering transport, energy, and communications sectors, based on classified vulnerability assessments. | Military deployment under Opération Sentinelle focused on airports and major transport hubs; persistent vulnerability of soft targets. | Security upgrades at Brussels Airport and metro system; improvements remained sector-specific without comprehensive urban network coverage. | Directive 2008/114/EC on European critical infrastructures characterised by limited sectoral scope and heterogeneous national implementation, hindering uniform protection standards. |

2.4.1 Spain: From ETA-Centrism to Jihadist Threat Recognition

Spain's response to 11-M reconfigured a security architecture calibrated primarily toward ethno-nationalist terrorism into one recognizing jihadism as a persistent and qualitatively distinct threat. The most significant institutional innovation was the creation of the Comité Ejecutivo para el Mando Unificado (CEMU) within the Ministry of the Interior in May 2004, an apex coordination body designed to overcome fragmentation between Policía Nacional, Guardia Civil, and

intelligence services (CNI) that had characterized the pre-Madrid period. Within CEMU, the Centro Nacional de Coordinación Antiterrorista (CNCA, May 2004) operated as an intelligence fusion centre, synthesising inputs from domestic intelligence, military intelligence (CNI), Guardia Civil, and regional police forces, with integrated access to national databases (identity documents, weapons/explosives registers, passenger lists, biometrics)²³⁵.

The Sistema de Coordinación de Operaciones Antiterroristas (SICOA) enabled real-time information exchange between counter-terrorism units of Policía and Guardia Civil, addressing the critical gap that had permitted the Madrid network to operate without triggering integrated awareness across services. Spain's commitment to integrating counter-terrorism and organized crime analysis was consolidated in 2014 through the merger of CNCA and the Centro de Inteligencia contra el Crimen Organizado (CICO) into the Centro de Inteligencia contra el Terrorismo y el Crimen Organizado (CITCO)²³⁶, recognizing that contemporary jihadist networks exploit criminal infrastructures for weapons procurement, financing, and logistics, requiring analytical frameworks that transcend traditionally separate domains.

The Estrategia Integral contra el Terrorismo Internacional y la Radicalización (EICTIR, 2010, updated 2015/2023) marked the shift toward preventing violent extremism alongside traditional measures, with a framework articulated across four pillars: prevention, protection, prosecution, and response. The Spanish case demonstrates substantial capacity for institutional adaptation following catastrophic failure, successfully reorienting the apparatus from single-threat focus (ETA) toward recognition of jihadism as a persistent challenge, achieving significant improvements in inter-agency coordination and developing critical infrastructure protection frameworks absent before 2004. However, such reforms remained bounded within national institutional architecture, with systematic integration into European counter-terrorism cooperation limited beyond bilateral information sharing and participation in Europol mechanisms.²³⁷

²³⁵ Reinales, Fernando. 2014. *Al-Qaeda's Revenge: The 2004 Madrid Train Bombings*. New York: Columbia University Press.

²³⁶ Ministerio del Interior. 2014. "Real Decreto 871/2014, por el que se modifica la estructura orgánica básica del Ministerio del Interior." *Boletín Oficial del Estado (BOE)*. BOE.es.

²³⁷ Gobierno de España. 2023. *Estrategia Nacional contra el Terrorismo 2023*. Madrid: Departamento de Seguridad Nacional (DSN). DSN.gob.es.

2.4.2 France: Securitisation and Normalisation of the Exceptional

France's response to the Paris attacks and the January 2015 assaults (Charlie Hebdo, Hypercacher) represented the most extensive mobilization of security resources and legal authorities in any Western European democracy since the Second World War, fundamentally altering the balance between security imperatives and civil liberties. The most visible dimension was Opération Sentinelle, a domestic military deployment mobilising up to 10,000 Armed Forces soldiers for patrol of sensitive sites (railway stations, airports, government institutions, places of worship), alongside 13,000 additional police officers deployed for extraordinary security. The state of emergency (état d'urgence), declared on 14 November 2015 under the 1955 law originally designed for Algeria, permitted warrantless searches and house arrests without judicial oversight. Extended five times, the exceptional regime lasted until November 2017, when it was codified into ordinary law through the Loi Sécurité intérieure et lutte contre le terrorisme (SILT, 2017-1510), normalizing authorities conceived as temporary and exceptional.

Domestic intelligence expansion (Direction Générale de la Sécurité Intérieure, DGSI) increased personnel from approximately 3,200 to over 4,000 agents between 2015-2018, with supplementary budgets exceeding €600 million annually for surveillance technologies, big data analysis, and cyber capabilities, though DGSI-DGSE (foreign intelligence) coordination remained problematic, reflecting persistent institutional rivalries. On the judicial plane, specialized anti-terrorism courts were established with dedicated magistrates and expanded investigative powers, culminating in the 2022 mega-trial against survivors and facilitators of the Paris network, the largest terrorism criminal proceeding in modern French history.

France's response demonstrated both the capacity of a unitary state with strong executive authority to mobilize comprehensive security resources and the risks of securitization privileging short-term threat mitigation over long-term sustainability and civil liberties protection. France achieved substantial improvements in intelligence coordination (more integrated DGSI-police/military intelligence relationships), operational capacity (enhanced specialized units and judicial structures), and visible deterrence (Sentinelle military presence), yet such gains came with costs subject to ongoing debate: normalization of exceptional powers, erosion of judicial oversight, potential alienation of Muslim communities subject to disproportionate targeting, and

militarization of public space that some scholars argue compromises the democratic character of open society.

2.4.3 Belgium: Institutional Fragmentation and Structural Constraints

Belgium's response to the Brussels attacks occurred within a context of acute institutional crisis, with post-attack inquiries documenting systemic failures so profound that the country's counter-terrorism architecture was characterized internationally as dysfunctional. The parliamentary investigative commission identified deficits spanning capacity, coordination, legal frameworks, and strategic prioritization: intelligence and security services under-resourced relative to threat scale (Sûreté de l'État/VSSE and military intelligence SGRS employed fewer personnel than comparable services in similarly sized countries), fragmentation between federal and regional police forces with multiple intelligence agencies operating with minimal coordination, and institutional rivalries impeding information sharing.

In response, Belgium undertook substantial institutional reforms. The Organe de Coordination pour l'Analyse de la Menace (OCAM/OCAD) was reinforced with increased authority to serve as a central fusion point for threat intelligence from all services, though OCAM's capacity to compel information sharing remained limited by the autonomous status of various contributing agencies. The Plan R (Plan contre le Radicalisme) was revised to improve operational coordination and prioritization, with increased resources for personnel, technologies, and training. Europol TE-SAT data for 2017-2019 confirm increased terrorism arrests in Belgium (60 in 2015 → 114 in 2016-2017), reflecting intensified investigative pressure post-Brussels but also persistence of the threat on Belgian territory.

However, external assessments by the Egmont Institute and international security scholars emphasized the persistence of fundamental structural weaknesses. Belgium's federalized political system, with authority divided between federal government, linguistic communities (Flemish and Francophone), and regions, created coordination challenges that no institutional redesign could completely overcome, as security responsibilities overlapped across governmental levels without clear hierarchy or integrated command. Resource constraints remained acute, with Belgian security services continuing to operate with personnel levels and budgets insufficient for comprehensive surveillance of the estimated hundreds of individuals assessed as potential threats. The Belgian case illustrates the vulnerabilities of member states whose domestic

institutional architectures prove structurally misaligned with the requirements of modern counterterrorism, and where reform capacity remains constrained by constitutional arrangements and political economy that resist centralization.

2.4.4 Comparative Assessment: National Adaptation versus Transnational Imperatives

Across all three cases, national reforms demonstrated recognizable patterns: creation or reinforcement of inter-agency coordination mechanisms (CEMU, DGSI expansion, OCAM), legal framework adjustments expanding preventive authorities (EICTIR, SILT, Plan R revisions), substantial resource mobilization (personnel, budgets, technologies), and enhanced critical infrastructure protection. Yet these adaptations, however significant within national contexts, confronted inherent limitations when addressing threats whose operational logic transcends jurisdictional boundaries.

The persistent gap between national reforms and transnational threat architecture manifests in three dimensions. First, intelligence remained nationally siloed despite improved domestic coordination. Information sharing at European level continued to operate through voluntary bilateral channels or Europol facilitation rather than systematic integration, preventing synthesis of dispersed indicators that might enable prevention. Second, operational responses remained bounded by sovereignty. No member state developed capacity or legal authority to conduct preventive operations beyond its borders, forcing reliance on cumbersome mutual legal assistance even when networks operated fluidly across Schengen space. Third, resource allocation remained nationally determined. States invested according to domestic threat perceptions and fiscal constraints, producing asymmetric capabilities that networks could exploit by concentrating activities in jurisdictions with weaker services, exemplified by Molenbeek's role as operational sanctuary despite proximity to European institutional centers.

The fundamental lesson emerging from comparative analysis of post-attack reforms is that national institutional capacity, however enhanced, proves structurally inadequate when confronting adversaries whose networks exploit the jurisdictional fragmentation inherent in Europe's intergovernmental security architecture. Madrid, Paris, and Brussels each triggered adaptive responses demonstrating member states' ability to learn from failure and mobilize resources. Yet subsequent events validated that such learning remained trapped within national

boundaries, unable to generate the supranational coordination and integrated operational capacity that transnational networks systematically evade.

2.5 Recent Terrorist Attacks and Their Implications for EU Security

The period following the Brussels attacks witnessed continued jihadist terrorism across Europe, though with evolving tactical patterns and threat profiles that generated distinct analytical and policy challenges compared to the coordinated, network-based operations examined in previous sections. Between 2016 and 2025, Europe experienced a sustained but morphologically transformed threat, characterised increasingly by lone-actor attacks employing low-sophistication methods (vehicle ramming, knife assaults) against soft targets, alongside a reduced but persistent capacity for small-cell operations exhibiting higher lethality. This section analyses key attacks from this period, identifies emergent trends, and assesses their implications for European security governance and the potential contribution of enhanced integration.

2.5.1 The vehicle-ramming wave: Nice, Berlin, London, Barcelona (2016-2017)

The post-Brussels period witnessed the proliferation of vehicle ramming attacks, a tactic that ISIS propaganda explicitly encouraged as requiring minimal preparation, no specialised materials or training, and offering high casualty potential against crowded public spaces. This methodological shift from complex, network-coordinated operations toward individually executed, low-technology attacks reflected both ISIS's adaptation to degraded operational capacity in Europe following law enforcement pressure and the inherent difficulty of preventing attacks that exploit ubiquitously available tools and require minimal conspiracy, often involving a single perpetrator acting alone or with negligible support²³⁸.

The sequence of attacks that followed illustrated this logic with brutal clarity. On 14 July 2016, Mohamed Lahouaiej Bouhlel, a Tunisian-born French resident, drove a 19-tonne cargo truck into crowds celebrating Bastille Day on the Promenade des Anglais in Nice, killing 86 people and injuring over 400 before being shot by police. ISIS claimed responsibility, though subsequent investigation revealed that Lahouaiej Bouhlel had radicalised rapidly and autonomously, with limited evidence of direct operational connection to the organisation beyond ideological inspiration. The attack demonstrated that lone actors employing vehicles as weapons could

²³⁸ Reed, Alastair, e Joe Whittaker. 2017. "The Nice Attack: The Evolution of ISIS's Tactic of Low-Tech Terrorism." ICCT Policy Brief. The Hague: International Centre for Counter-Terrorism. ICCT.

generate mass casualties rivalling coordinated bombing and shooting operations, while presenting distinct prevention challenges given the absence of network conspiracies that might otherwise generate intelligence indicators²³⁹.

Five months later, on 19 December 2016, Anis Amri, a Tunisian asylum seeker, hijacked a truck and drove it into a Christmas market at Breitscheidplatz in Berlin, killing 12 and injuring 56 before fleeing to Italy, where he was killed by police four days later. ISIS claimed Amri as a "soldier," and investigation confirmed that he had pledged allegiance to the organisation and maintained contacts with ISIS operatives, though the attack itself appeared to have been planned and executed individually. The Berlin case exposed compounding institutional failures: Germany's asylum and deportation procedures had allowed Amri to remain in the country despite a standing deportation order, while intelligence coordination had lapsed as monitoring was discontinued months before the attack due to resource constraints and an assessment that he posed no imminent threat. The disjunction between the existence of relevant information and its operational translation into preventive action would prove to be a recurrent theme across subsequent cases²⁴⁰.

London experienced this vulnerability twice within three months. On 22 March 2017, Khalid Masood drove a vehicle across Westminster Bridge, killing five, before stabbing a police officer outside Parliament; on 3 June, three perpetrators rammed pedestrians on London Bridge then conducted knife attacks in Borough Market, killing eight before being shot by police. Both attacks were claimed by ISIS, though operational connections remained unclear, with the perpetrators exhibiting the now-familiar profile of self-radicalised individuals inspired by but not formally directed by the organisation. That two such attacks could occur in rapid succession in the same capital underscored that even after Paris and Brussels, major European cities remained structurally vulnerable to low-sophistication but high-impact operations²⁴¹.

The wave's most revealing episode in terms of network dynamics came in Barcelona on 17 August 2017. A van attack on Las Ramblas killed 14 and injured over 100, but investigation disclosed a larger conspiracy involving a cell of approximately twelve individuals who had

²³⁹ *Ibid.*

²⁴⁰ Europol, EU Terrorism Situation and Trend Report 2017 (TE-SAT 2017), The Hague, 2017, 22-23

²⁴¹ Europol, TE-SAT 2018, 28-30

originally planned more sophisticated explosive attacks. An accidental detonation in their bomb factory killed the suspected ringleader, and the cell improvised the vehicle ramming as a fallback. The Barcelona case illustrated that even when networks aspired to complex operations, capability degradation, whether through accident, law enforcement pressure, or resource depletion, frequently resulted in methodological regression toward simpler tactics. This dynamic was precisely what ISIS's propaganda had anticipated and encouraged²⁴².

Diverging from the vehicle ramming pattern, though temporally embedded within it, the Manchester Arena attack of 22 May 2017 pointed toward a different but equally troubling profile. Salman Abedi detonated a suicide bomb in the foyer of the Arena as concertgoers exited an Ariana Grande performance, killing 22, including children, and injuring over 100. Abedi, a British citizen of Libyan descent, had travelled to Libya and potentially Syria, received bomb making training, and maintained contacts with jihadist networks, representing a hybrid profile between lone actor and network enabled operative²⁴³. Subsequent inquiry revealed that he had been known to authorities and reported by community members as exhibiting extremist views yet had not been subjected to intensive surveillance due to resource prioritisation decisions favouring individuals assessed as posing more imminent threats. Manchester thus joined a lengthening list of cases in which prior knowledge of an individual did not translate into preventive action²⁴⁴.

Taken together, the vehicle ramming wave generated intense policy debate regarding prevention architecture. Unlike bombings requiring explosives procurement or shootings requiring firearms access, both potentially detectable through intelligence or supply chain interdiction, vehicle attacks exploited tools legally available to millions, rendering prevention dependent on identifying individuals likely to attempt such attacks rather than interdicting attack preparations. This shifted counterterrorism emphasis toward predictive assessment of radicalisation trajectories, a task for which evidence based methodologies remained contested and error rates inherently high given the low base rate of individuals who progress from radical views to violent action. Physical security measures proliferated, with cities installing bollards and vehicle proof

²⁴² Europol, TE-SAT 2018, 33-34

²⁴³ Raffaello Pantucci et al., "Manchester Attack: Intelligence Failures and the Need for Community Engagement," RUSI, 2018

²⁴⁴ Europol, TE-SAT 2018, 31-32

infrastructure around crowded pedestrian areas and event venues, though comprehensive protection remained operationally impossible given the infinite array of potential targets. More broadly, the wave validated ISIS's strategic calculus that encouraging simple, individually executable attacks would sustain psychological impact and operational tempo despite degraded capacity for complex operations, effectively crowdsourcing terrorism to sympathisers requiring minimal organisational support.

2.5.2 The lone-actor ascendancy: Vienna, Strasbourg, and the 2020s pattern (2018-2025)

From approximately 2018 onward, Europol assessments documented a decisive shift wherein lone-actor terrorism became the dominant modality of jihadist violence in Europe, with organised group attacks becoming rare and the threat profile centring on individuals acting autonomously or in micro-cells of two to three persons. This transformation reflected multiple factors: sustained law enforcement pressure that disrupted network infrastructures, ISIS's territorial collapse eliminating the training and coordination hub that had enabled the Paris and Brussels operations, and ISIS's strategic adaptation toward encouraging individualised violence when organisational capacity for directed operations diminished²⁴⁵.

The Strasbourg Christmas market attack of 11 December 2018 illustrated the consolidating characteristics of this new threat environment. Chérif Chekatt, a French national with an extensive criminal record, opened fire at the market, killing five and injuring eleven before being killed by police two days later. ISIS claimed the attack, though Chekatt appeared to have self radicalised in prison and executed the operation individually, exemplifying both the crime to terror trajectory and the prison radicalisation vector that had generated numerous European attackers by this period. The case underscored the structural challenge of monitoring the large population of individuals who combine criminal histories, prison exposure to radical ideology, and assessed extremist sympathies, a population far exceeding the surveillance capacity of any European service²⁴⁶.

The Vienna attack of 2 November 2020 proved more consequential still for European security discourse, both for the severity of its intelligence failures and for the analytical questions it raised

²⁴⁵ Thomas Hegghammer and Petter Nesser, "Assessing the Islamic State's Commitment to Attacking the West," *Perspectives on Terrorism* 9, no. 5 (2015): 14-30

²⁴⁶ Europol, TE-SAT 2019, 25

about deradicalisation policy. Kujtim Fejzulai, a 20 year old Austrian of North Macedonian descent, conducted a shooting attack in Vienna's central nightlife district, killing four and injuring 22 before being killed by police. Investigation revealed a trajectory that concentrated multiple systemic vulnerabilities into a single case: Fejzulai had attempted to travel to Syria in 2018, been arrested and imprisoned, undergone a deradicalisation programme that authorities deemed successful, and been released early in December 2019, only to conduct the attack eleven months later. The case validated longstanding concerns that deradicalisation programmes, while politically attractive as alternatives to indefinite detention, lacked reliable methodologies for assessing whether participants had genuinely disengaged from extremism or merely simulated compliance to secure release. Furthermore, Fejzulai had maintained transnational contacts with jihadists in Germany, Switzerland, and the Balkans throughout this period, a network that Austrian and neighbouring services were aware of but failed to monitor adequately²⁴⁷. Critically, Slovakia had warned Austrian authorities that Fejzulai had attempted to purchase ammunition, yet this intelligence did not trigger enhanced surveillance, demonstrating that even when information sharing functioned technically, its operational translation into preventive action remained inconsistent, a failure mode documented repeatedly since Brussels yet not resolved.

The threat environment underwent a further deterioration following October 2023. The Hamas attacks in Israel and the subsequent Israeli military operations in Gaza generated a measurable increase in jihadist attack tempo across Europe²⁴⁸, with Europol assessing that the conflict's radicalising impact and ISIS's efforts to exploit it for recruitment produced renewed threat elevation. Attacks in Brussels in October 2023, where a Tunisian national shot two Swedish nationals, and in Arras, France in the same month, where a former student stabbed a teacher, reflected both long term radicalisation trajectories and short-term mobilisation driven by geopolitical events. The pattern confirmed that European threat levels remain vulnerable to developments in the Middle East irrespective of geographic distance, and that the relationship between international conflict and domestic radicalisation operates through channels, namely propaganda consumption, online community formation, and symbolic identification, that

²⁴⁷ Petter Nesser, "The Vienna Attack: Deradicalisation Done Wrong," ICCT Brief, Nov 2020

²⁴⁸ Europol, TE-SAT 2024, 18-20; TE-SAT 2025, 15

counterterrorism frameworks centred on operational disruption are poorly equipped to address²⁴⁹.

The consolidation of the lone actor as the dominant threat modality poses challenges that are qualitatively distinct from those presented by coordinated conspiracies. Detection in this context relies heavily on community reporting, online monitoring, and the identification of behavioural indicators, none of which are susceptible to the network disruption strategies, including infiltration, communications intercept, and logistical surveillance, that proved partially effective against structured conspiracies. The absence of preparatory activities requiring procurement or coordination means that individuals can progress from ideation to action rapidly, compressing the warning window during which intervention might be possible. The decentralised, single jurisdiction character of lone actor operations also potentially diminishes the marginal value of enhanced European integration relative to national capacity improvements, since the cross border operational coordination that justified much of the post Paris institutional architecture is less directly relevant when threats are generated and executed within single national boundaries. However, scholarly analysis cautions against overstating the "loner" character of many so-called lone actors, documenting that individuals often possess connections to radical milieus, consume propaganda produced by organisations, receive encouragement or validation through online networks, and sometimes maintain contact with operatives abroad, suggesting that "lone actor" represents a spectrum from truly isolated individuals to network-called lone actors, documenting that individuals often possess connections to radical milieus, consume propaganda produced by organisations, receive encouragement or validation through online networks, and sometimes maintain contact with operatives abroad, suggesting that "lone actor" represents a spectrum from truly isolated individuals to network-connected-connected operatives executing attacks individually²⁵⁰. This ambiguity implies that network mapping, transnational intelligence sharing, and disruption of online radicalisation ecosystems retain relevance even in an era dominated by lone a-actor attacks, though the operational implications differ from confronting tightly coordinated conspiracies like Paris or Brussels.

²⁴⁹ Piet Slootman, "The Middle East Conflict and Europe's Jihadist Threat," ICCT, Nov 2023

²⁵⁰ Paul Gill et al., "Lone-Actor Terrorists: A Profile," in *The Handbook of the Criminology of Terrorism*, Wiley, 2017

2.5.3 Implications for EU security governance and integration debates

The shift from coordinated network attacks to lone-actor violence presents a puzzle for European security integration²⁵¹. On the surface, the decline in large-scale cross-border conspiracies might seem to weaken the integration argument²⁵². After all, attacks increasingly unfold within single national jurisdictions. This suggests less urgent need for enhanced intelligence sharing and operational coordination. But this reading is too simple. Attacks continue despite extensive national reforms²⁵³. Radicalisation patterns, communication networks, and connectivity remain transnational even when the actual attack is carried out by individuals. Repeated failures in prevention and information sharing point to unresolved structural weaknesses in European security architecture.

One pattern persists across all waves of attacks: the overlap between criminality and terrorism. Many perpetrators have prior criminal histories. Others radicalise in prison. Still others rely on criminal networks for logistical support, especially when acquiring firearms. This link continues from earlier coordinated attacks through to recent lone-actor incidents. It underscores the need for effective integration between law enforcement (focused on crime) and intelligence services (focused on counterterrorism). Such coordination remains imperfect at the national level. Across borders, it is even more fragmented. Divergent legal frameworks, institutional cultures, and evidentiary standards block sustained cooperation²⁵⁴.

The foreign fighter phenomenon adds further complexity. Individuals who travelled to conflict zones, attempted to travel, or maintained contacts with these areas continue to appear disproportionately among attackers. The Syrian conflict's repercussions persist well beyond its territorial decline. Returnees and their networks remain embedded in European societies. This reality demands comprehensive monitoring and systematic information exchange on travel patterns and associative links. Voluntary or bilateral mechanisms appear increasingly inadequate for managing inherently transnational risks. The argument for more robust European-level data integration grows stronger.

²⁵¹ Bakker, Edwin, et al. *European Jihad: Future of the Past?* Paris: IRIS, 2019.;

²⁵² Europol. TE-SAT 2022. The Hague: Europol, 2022.

²⁵³ Europol. TE-SAT 2026. The Hague: Europol, 2026.

²⁵⁴ Neumann, Peter R. "Criminal Pasts, Terrorist Futures." *Perspectives on Terrorism* 10, no. 6 (2016): 25-40

Meanwhile, deradicalisation and counter-radicalisation programmes across member states have produced disappointing results. High-profile failures raise doubts about prevention strategies centred on individual-level interventions. These programmes struggle to address broader structural drivers: socioeconomic marginalisation, discrimination, and geopolitical grievances. These factors operate beyond the reach of security policy. As confidence in preventive approaches erodes, pressure shifts toward surveillance and interdiction. Yet resource constraints make comprehensive monitoring impossible. The tension between prevention, surveillance, and capacity limitations creates a structural dilemma that no institutional arrangement can fully resolve.

The geographic distribution of jihadist violence is notably uneven. A limited number of member states experience concentrated threat levels. Others face little or no comparable risk despite similar demographic profiles or participation in international military coalitions. This pattern suggests that local factors matter decisively: entrenched radical milieus, pre-existing networks, variations in institutional capacity. Such heterogeneity complicates integration arguments. States facing minimal domestic threat may resist the financial, political, and sovereignty costs of security architectures designed to address risks concentrated elsewhere. This is a classic collective action problem among asymmetrically threatened actors. The shift to low-sophistication attacks (using vehicles, knives, or improvised methods) further changes the strategic environment. These attacks typically cause fewer casualties than coordinated bombings or mass shootings. But their frequency and unpredictability sustain heightened insecurity. This persistent threat perception justifies continued security expenditures and expansive legal authorities even as overall lethality declines. Political incentives favour highly visible security responses: militarised policing, expanded surveillance. These may serve symbolic functions of governmental resolve without delivering proportional risk reduction. These dynamics shape public debates over effectiveness and proportionality.

Recent attack patterns yield a more ambivalent assessment than the Paris–Brussels period offered. The predominance of lone-actor attacks reduces the immediate operational rationale for supranational command structures. Planning and execution increasingly occur within national boundaries. But the transnational dimensions remain pronounced: radicalisation processes, network connectivity, weapons acquisition, intelligence indicators. Information sharing, database

interoperability, and analytical cooperation retain substantial value even when operational coordination is limited.

Repeated instances stand out: perpetrators known to authorities yet not effectively prevented from acting. This suggests the core problem lies less in information scarcity than in fragmented analysis, inadequate prioritisation, and chronic resource constraints. Enhanced European integration could mitigate some deficiencies by reducing analytical fragmentation and improving efficiency through pooled expertise and shared capacities. Whether member states accept the associated sovereignty costs remains the central political obstacle.

The post-Brussels trajectory offers qualified support for integration arguments. The threat has neither disappeared nor been contained at national level. Recent failures continue to expose the costs of fragmentation. At the same time, the operational case for integration appears less acute than during periods of coordinated mass attacks. Whether this shift dampens political momentum or merely reflects a temporary lull depends on future developments. Security services continue to regard large-scale coordinated violence as a persistent possibility rather than a closed chapter.

2.5.4 Beyond jihadism: the diversification of the terrorist threat landscape

This chapter has examined jihadist terrorism as the paradigmatic form of transnational violence requiring cross-border responses. But European security assessments since 2016 increasingly highlight a parallel development: the rise of right-wing extremist terrorism. This phenomenon falls partly outside the chapter's temporal focus. Yet it represents a persistent and, in some respects, accelerating threat that demands attention in any comprehensive evaluation.

Anders Behring Breivik's July 2011 attacks in Norway predated the period under analysis. But they established a model: lone-actor mass-casualty violence rooted in far-right, anti-immigrant, and anti-Muslim ideology. This model reappeared in subsequent years. The March 2019 Christchurch attacks, while occurring outside Europe, exerted clear transnational influence. Livestreamed violence and widely disseminated manifestos resonated strongly within European far-right online environments. They inspired later attacks, including the Halle synagogue shooting and the February 2020 Hanau attack.

Europol's annual Terrorism Situation and Trend Reports show that right-wing terrorism accounts for fewer incidents than jihadist or separatist violence. Nevertheless, the reports identify

worrying developments, particularly regarding lethality and online radicalisation dynamics. Far-right networks increasingly rely on transnational digital spaces that facilitate ideological exchange, imitation, and mobilisation. Yet their operational activity in Europe has remained largely domestic. Unlike jihadist organisations linked to ISIS or al-Qaeda, right-wing extremism has not developed sustained cross-border command structures, training infrastructures, or logistical coordination comparable to those observed in the Paris–Brussels networks.

This distinction matters analytically for debates on European security integration. The predominantly national and lone-actor character of right-wing terrorism reduces the immediate operational value of supranational coordination mechanisms. Prevention depends primarily on domestic capacities: monitoring online radicalisation, community-based reporting, firearms regulation. By contrast, jihadist networks generate more acute demands for integrated intelligence sharing and cross-border operational coordination. Personnel, resources, and financing move across national boundaries.

This does not mean European-level cooperation is irrelevant for addressing right-wing extremism. Transnational online platforms shared ideological repertoires, and cross-border incitement create areas where coordinated monitoring and information exchange remain essential. European cooperation can add value at analytical and preventive levels, even when operational execution remains primarily national.

The coexistence of multiple ideological forms of terrorism in Europe highlights a broader structural issue. The central question addressed in this thesis extends beyond containment of a single organisation or ideology. It concerns the European Union's capacity to develop security architectures capable of responding to diverse and adaptive threats. These threats exploit openness, mobility, and jurisdictional fragmentation regardless of motivation. Whether a unified European defence structure would enhance effectiveness across this full spectrum remains an empirical question examined in following chapters. But one thing emerges clearly from Madrid, Paris, Brussels, and the post-2016 trajectory: the existing system has repeatedly failed to prevent major attacks. That system is grounded in national primacy and voluntary cooperation. This record alone warrants serious reflection on whether deeper integration may be both necessary and politically feasible.

2.6 Conclusion

The case studies in this chapter reveal a consistent pattern across two decades of jihadist terrorism in Europe. Madrid demonstrated that transnational networks could exploit criminal infrastructures and freedom of movement. This was evident even before the foreign fighter era. Paris marked the operational peak of ISIS's external operations branch. It produced the deadliest attack on European soil since World War II through conspiracies spanning multiple states. Brussels followed just four months later. Remnants of the same network carried it out. The attack exposed the limits of intensive national mobilisation in neutralising threats operating in Europe's political heart.

National responses achieved substantial domestic improvements. Spain created the CITCO fusion centre. France deployed *Sentinelle* and enacted SILT laws. Belgium established OCAD and Plan R. But these measures remained confined within sovereign boundaries. European-level measures facilitated coordination among willing partners: the ECTC, the PNR Directive, enhanced Frontex capabilities. Yet they lacked authority to compel integration, synthesise intelligence in real time, or direct cross-border operations.

Recent attacks confirm the threat has evolved, not disappeared. Vehicle ramming and lone actors demand new detection paradigms. Yet persistent failures underscore unresolved structural deficits. Individuals known to authorities slip through fragmented systems. The crime-terror nexus endures. Foreign fighter legacies generate risks no single state can monitor comprehensively. Urban milieus sustain recruitment.

Three conclusions emerge for assessing European security architecture. First, jihadist networks consistently exploit the asymmetry between their integration and Europe's fragmentation. They achieve operational effects disproportionate to their size. Second, incremental cooperation yields tactical gains. But it cannot overcome coordination dilemmas inherent in intergovernmental models. Third, lone actors reduce some urgency for operational integration. Yet transnational radicalisation ecosystems, weapons flows, and intelligence synthesis retain high supranational value. These cases provide the empirical foundation for the thesis's central question. Can a unified European defence architecture deliver outcomes that national primacy and voluntary coordination cannot? Such an architecture would feature real-time intelligence fusion, supranational tasking authority, and integrated operational command. The evidence from Madrid,

Paris, Brussels, and beyond suggests this integration merits serious consideration. Political willingness to incur sovereignty costs remains the decisive constraint. Subsequent chapters examine the institutional feasibility and potential effectiveness of these alternatives.

Chapter 3 - A European Defence Force Confronting Terrorism: Constitutional Possibilities and Structural Limits

Introduction

The first two chapters of this thesis have outlined the analytical framework required to address the central research question: to what extent the establishment of a unified European defence force could strengthen the Union's capacity to prevent and counter structurally transnational terrorist threats, thereby overcoming the limitations of the current model of intergovernmental cooperation.

The investigation has shown that terrorism in Europe has undergone a profound metamorphosis, evolving from territorially circumscribed and organizationally hierarchical phenomena (such as ETA, IRA, or the Red Brigades) into fluid, decentralized, and inherently transnational configurations typical of contemporary jihadist networks. Having confirmed the transnational dimension of the phenomenon, the focus shifts to the adequacy of a security architecture anchored in intergovernmental logic and voluntary cooperation. In other words, the question is whether a model centred on state primacy can effectively counter a post-national threat that exploits the interconnections generated by European integration.

From this perspective, the comparative analysis of the Madrid (2004), Paris (2015), and Brussels (2016) attacks reveals a pattern of systemic vulnerabilities that transcends individual national responsibilities. The mobility and cross-border coordination of these networks have challenged the functional boundaries of national security apparatuses. In Madrid, procurement channels linked to organized crime made manifest the crime-terror nexus, a cross-sectoral dynamic that is difficult to manage within segmented institutional compartments. By contrast, the Paris and Brussels attacks demonstrated that the intensification of intergovernmental cooperation was insufficient to neutralize the operational continuity of the same network.

This empirical evidence must be situated within a broader theoretical debate. Securitization theory has shown how terrorism can be framed as an existential threat so as to justify emergency measures. Within the European framework, however, heightened political alarm has not been followed by a corresponding strengthening of practical collaboration among Member states. Emergency logic has paradoxically consolidated national prerogatives rather than acting as a catalyst for supranational structural reform. In parallel, the multi-level governance paradigm conceptualises the Union as a stratified decision-making space, in which competences and responsibilities are distributed across different levels. In the security domain such stratification

produces a paradox: despite growing threat interdependence, ultimate ownership of coercive power remains firmly anchored in the state level.

The analysis of Directive (EU) 2017/541, together with the examination of Europol, Eurojust, Joint Investigation Teams, and the European Counter-Terrorism Centre (ECTC), confirms this tension. The Union has developed a sophisticated normative framework based on the harmonization of criminal offenses and the principle of mutual recognition, features typically associated with functionalist logic. Yet these instruments largely operate as facilitators and remain devoid of autonomous decision-making powers. Europol lacks the authority to compel information sharing or to direct field operations. While Eurojust can foster judicial coordination *ex post*, it cannot substitute for national authorities in an integrated preventive logic. The result is a clear mismatch between cooperation (coordination among sovereignties) and integration (transfer of sovereign prerogatives). In constitutional terms, the Union exhibits the characteristics of a composite legal order, yet it still lacks a genuine federal logic in the internal security domain.

The foreign fighter phenomenon and the evolution towards low-tech attacks further exacerbate the friction between the globalisation of the threat and the persistent territorialisation of the response. National approaches remain heterogeneous both in repression and in reintegration strategies. In the absence of uniform protocols and integrated risk assessment, the management of such profiles remains divided and fragmented.

Against this background, it can be argued that the European Union has developed a system that is inherently reactive, efficient in post-attack coordination but structurally limited at the preventive stage.

This chapter therefore evaluates whether the establishment of a unified European defence force could represent an evolution consistent with the logic of integration. The proposal is not conceived as a mere extension of existing cooperation, but rather as a mechanism of functional integration endowed with shared operational capabilities. The analysis will not be confined to assessing its tactical effectiveness but will examine its compatibility with the Union's constitutional balance and with the persistent centrality of Member States in the domain of internal security.

3.1 The Operational Integration of Defence under the Current Treaties: Constitutional Possibilities and Limits

Building upon the findings of the previous chapters, this section systematically analyses the primary law framework governing the Union's security and defence policy. It seeks to determine the extent of the legal scope provided by the current Treaties for the establishment of an operationally integrated European defence force tailored to countering structural transnational terrorist threats. Specifically, the analysis examines whether the existing constitutional

architecture allows for such functional evolution without necessitating a shift toward a federal model. To this end, the study focuses on the combined provisions of Articles 42-46 TEU, with particular regard to the national identity clause (Art. 4(2) TEU) and the assistance and solidarity mechanisms (Art. 42(7) TEU and Art. 222 TFEU). Drawing on recent legal scholarship, the analysis aims to define the boundary between enhanced cooperation and the creation of a truly common operational capacity, assessing its constitutional viability within the current institutional balance.

3.1.1 Three Conceptual Models of a European Defence Force

To evaluate whether current Treaties allow the establishment of a European defence force without formal revision, it is first necessary to distinguish at least three conceptual models as progressively developed in the specialized literature²⁵⁵:

1. **Rapid deployment and coordination model:** This refers to pre-constituted multinational units (such as Battlegroups or the nascent EU Rapid Deployment Capacity) characterized by high operational readiness but composed of national contingents. Such assets remain under Member State command in peacetime and assume a double-hatted configuration in the operational phase, ensuring full interoperability with NATO structures.
2. **Permanent and structural integration model:** This model envisages stable multinational units equipped with integrated command chains, joint training procedures and equipment standardization. Although operations assume a European dimension, political ownership of forces remains with Member States and the decision-making process regarding deployment remains anchored in the intergovernmental method (Council/European Council), possibly mediated by coalitions of the willing.
3. **“Common defence” in the strong sense / European army:** Under this configuration, the EU would acquire a genuine general competence in territorial defence. It presupposes permanent forces owned by the Union, a centralized supreme command, and a financing system charged to the EU budget and subject to parliamentary scrutiny. In this perspective, strategic decision-making could evolve toward qualified majority voting, according to logics associated with a federal arrangement.

The question of whether a European defence force is legally possible without Treaty reform concerns, on a strictly normative level, primarily models (1) and (2). Model (3), by contrast, would entail a constitutional revision of the CFSP/CSDP framework. This conceptual distinction is decisive because only by precisely identifying the reference model is it possible to rigorously

²⁵⁵ Anna Horn, *European Defence Under the Treaties*, SIEPS European Policy Analysis no. 12 (Stockholm: Swedish Institute for European Policy Studies, 2025), 15–22; Daniel Fiott, ed., *The CSDP in 2020: The EU’s Legacy and Ambition in Security and Defence*, Chaillot Paper (Paris: EU Institute for Security Studies, 2020), 45–52.

evaluate the compatibility with the principle of conferral, with the "special" architecture of CFSP/CSDP, and with the national security reservation enshrined in Article 4(2) TEU. In other words, the current Treaties may allow very advanced forms of operational integration, especially under models (1) and (2), but they preserve ultimate political ownership of decisions on the use of force in the hands of the Member States. It is precisely within this intermediate space, between enhanced integrative cooperation and the full "statization" of defence, that the problem addressed by the research is located.

3.1.2 Basic Regulatory Framework: Articles 42–46 TEU as an "Enabling Text"

CSDP as a special regime and trajectory towards "common defence"

Articles 42–46 TEU govern the Common Security and Defence Policy (CSDP) as an integral part of the CFSP (Article 42(1) TEU). Prevailing scholarship converges in characterising the CSDP not as an "ordinary" Union competence, but as a special regime dominated by the intergovernmental method. Principal decisions are adopted unanimously in the Council and European Council, while the Commission and European Parliament play a marginal role and the jurisdiction of the Court of Justice is severely limited²⁵⁶.

Article 42(1) TEU defines the CSDP as the Union's operational capacity drawing on civilian and military means made available by the Member States. The missions listed in Article 43 TEU (the expanded Petersberg tasks) include crisis management, peacekeeping, combat operations, and post-conflict stabilisation. Article 44 TEU provides that the Council may entrust specific tasks to groups of willing Member States with the necessary capabilities, thereby enabling forms of enhanced cooperation within the Union's legal framework. This configuration already allows robust military missions under the EU flag, supported by a European chain of command, while forces remain state-owned rather than Union-owned. In principle, it can also be used to prepare response capabilities to cross-border terrorist threats, even though counterterrorism is not explicitly codified as a core purpose of "common defence".

The central provision is Article 42(2) TEU. It sets out the progressive framing of a common defence policy and provides that this evolution shall lead to a common defence once the European Council has decided unanimously, in accordance with national constitutional requirements. Scholarship generally treats this provision as an enabling clause: it does not itself confer a general defence competence, but it provides a legal basis for the European Council to orient the CSDP towards a more common dimension. In principle, this could allow qualitative evolution without

²⁵⁶ European Parliament, "Common Security and Defence Policy," Fact Sheets on the European Union (Brussels: European Parliament, 2023); Katarzyna Masło, "Common Security and Defence Policy: A Legal Framework for Developing the European Defence Industry," in *Shielding Europe with the Common Security and Defence Policy*, ed. Katarzyna Zombory and János Ede Szilágyi (Budapest: Central European Academic Publishing, 2024), 165–170.

formal Treaty revision under Article 48 TEU, while the principle of conferral and the intergovernmental character of CFSP/CSDP remain operative. The substantive scope of such a transition would nevertheless depend on political choices and subsequent implementing acts.

On a textual level, the Treaties outline three progressive stages²⁵⁷: current security and defence cooperation; a common defence policy understood as the qualitative deepening of existing structures; a common defence proper, activable through unanimous European Council decision. The provision does not, however, specify the concrete content of this third stage. The reference to national constitutional provisions, combined with the absence of detailed regulation, leaves wide interpretive margins. Doctrine consequently oscillates between two visions: a maximalist reading, prefiguring an almost federal model, and a minimalist one, interpreting common defence as mere strengthening of intergovernmental cooperation.

PESCO, EDA, and Differentiated Forms of Integration

Articles 42(6) and 46 TEU, in conjunction with Protocol No. 10, establish "Permanent Structured Cooperation" (PESCO). It allows Member States that meet stringent criteria of military capability and financial commitment to pursue deeper integration²⁵⁸. Formally, PESCO remains anchored within the CSDP framework and does not create autonomous competences for the Union. Functionally, however, the combination of binding commitments and joint planning generates stable integration effects among participating states. Some scholars describe it as a form of subset integration with para-federal characteristics. PESCO and Article 44 TEU thus make it legally conceivable to establish a permanent European force composed of nationally owned contingents that are stably integrated and pre-assigned to the EU.

In parallel, the European Defence Agency (Article 45 TEU) and related instruments, such as the European Defence Fund and the European Peace Facility, have transferred a substantial part of defence industrial policy to the Union level, a sector historically regarded as the core of national sovereignty. According to part of the doctrine, the CSDP thus operates as a legal framework for developing the European defence industry, with direct implications for the Union's capacity to prevent and counter terrorist threats through joint control of critical technologies, supply chains, and external projection capabilities.

In summary, Articles 42–46 TEU configure an extensible framework: rather than imposing a federal defence model, they provide the instruments for qualitative enhancement of military

²⁵⁷ Council of the European Union, Council Decision (CFSP) 2017/2315 of 11 December 2017 establishing permanent structured cooperation (PESCO), OJ L 331 (14 December 2017); Niels Meershoek, "Constraints of Power Structures on EU Integration and Regulation of Military Procurement," *European Papers* 6, no. 2 (2021): 845–852.

²⁵⁸ Protocol (No. 10) on Permanent Structured Cooperation established by Article 42 of the Treaty on European Union, art. 2; Houdé and Wessel, "Limits to Differentiated Integration in PESCO?," 1340–1345.

capabilities within the current normative perimeter. This flexibility may prove decisive in addressing transnational terrorist threats, allowing operational strengthening without the need for formal Treaty revision.

3.1.3 The Bulwark of Sovereignty: Article 4(2) TEU and the Core of National Security

Content and Scope of the Identity Clause

Article 4(2) TEU obliges the Union to respect the national identity of the Member States, inherent in their fundamental political and constitutional structures, as well as their essential state functions, including territorial integrity, public order, and the safeguarding of national security. The provision concludes with a categorical statement: national security remains the sole responsibility of each Member State.

Prevailing doctrine does not interpret this norm as a clause of absolute immunity for domestic law, but rather as a material limit to the exercise of conferred competences under Article 5 TEU. The Union cannot claim a general competence in matters of national security; however, it may affect related sectors such as the protection of sensitive data, public defence procurement, control of foreign direct investment, or energy security. Such actions must be based on other competences (internal market, industrial policy, common commercial policy) and must respect the essential state functions of the Member States.

Recent studies further specify that only the fundamental core of constitutional structures and state functions is shielded by Article 4(2) TEU²⁵⁹. The final sentence crystallizes an exclusive state competence without preventing the Union from legislating in areas where that competence is indirectly involved, provided the principle of proportionality is observed. The Court of Justice interprets national derogations based on this clause restrictively, requiring a close and proportionate connection between the measure adopted and the protection of essential state functions²⁶⁰.

Implications for defence Integration

Applied to the defence sphere, this interpretation implies that the Union may coordinate, co-finance, promote interoperability, establish command structures, adopt CSDP missions, and develop common industrial instruments²⁶¹. It cannot, without Treaty revision, transform defence

²⁵⁹ Leonard F. M. Besselink, "National and Constitutional Identity before and after Lisbon," *Utrecht Law Review* 6, no. 3 (2010): 45–50; Theodore Konstadinides, "Constitutional Identity as Shield and Sword," *Cambridge Yearbook of European Legal Studies* 13 (2011): 205–210.

²⁶⁰ Court of Justice of the European Union, Case C-42/17, *M.A.S. and M.B.*, ECLI:EU:C:2017:936, paras. 44–48; Steve Peers, *EU Justice and Home Affairs Law*, 5th ed., vol. 1 (Oxford: Oxford University Press, 2021), 102–105.

²⁶¹ Steve Peers, *EU Justice and Home Affairs Law*, 98–105; Federico Fabbrini, *The Law & Politics of Brexit*, vol. 2 (Oxford: Oxford University Press, 2020), 225–230.

into a general and exclusive Union competence, nor impose binding decisions on the use of force without the consent of Member States.

This demarcation line separates a model of operational integration, compatible with current Article 4(2) TEU, from a fully federal defence model, which would exceed the limits imposed by the constitutional reservation. In the terrorism context, this distinction is crucial: the EU may strengthen coordinated response capacity through military intelligence, protection of critical targets, and external projection, but it cannot substitute for states in ultimate ownership of territorial defence operations.

3.1.4 Assistance and Solidarity Clauses: Cooperation Instruments without Competence Transfer

Article 42(7) TEU: The Mutual Assistance Clause

Article 42(7) TEU provides that if a Member State is the victim of armed aggression on its territory, the other Member States shall have towards it an obligation of aid and assistance by all the means in their power, in accordance with Article 51 of the UN Charter and taking into account NATO obligations for those States which are parties to it. Legal doctrine qualifies this provision as a horizontal obligation among Member States, rather than a competence conferred upon Union institutions²⁶². It does not create new powers for Brussels. The nature and extent of the assistance are determined on a case-by-case basis by the requesting State and the other States, affording them broad discretion: such assistance may take the form of military, political, economic, or intelligence support. The activation threshold is high (armed aggression) and the clause has a reactive rather than preventive character.

The clause's only activation to date occurred in November 2015, when France invoked it following the Paris attacks. This confirmed the essentially bilateral nature of the resulting cooperation, with limited involvement of EU institutions and no emergence of a detailed institutional procedural framework²⁶³. Systemically, for NATO Member States, Article 42(7) TEU remains subordinate to Article 5 of the North Atlantic Treaty. Doctrine emphasizes the secondary character of the EU clause relative to Atlantic collective defence²⁶⁴. Nevertheless, it can serve as a political lever to foster common capabilities and structures under the CSDP umbrella, thereby incentivizing cooperation in planning, procurement, and interoperability, elements potentially relevant to hybrid terrorist scenarios or attacks on European soil.

²⁶² Federica Fazio, "Legal and Strategic Considerations on Article 42(7) TEU," *Nordic Journal of European Law* 3 (2025): 112–118; Thierry Tardy, "Article 42(7) TEU: The Myth of Mutual Defence," in *The CSDP Toolbox*, ed. Sven Biscop (Brussels: Egmont Institute, 2016), 27–30.

²⁶³ Sara Myrdal and Mark Rhinard, *The EU's Solidarity Clause: Empty Letter or Effective Tool?* UI Occasional Paper no. 2 (Stockholm: Swedish Institute of International Affairs, 2010), 18–22.

²⁶⁴ Sara Myrdal and Mark Rhinard, *The EU's Solidarity Clause*, 18–22.

For the purposes of this research, the clause's value is not constitutive (it does not transfer competences) but enabling it can incentivize joint planning and the preparation of common assets without, however, crossing the threshold into decisional integration or supranational command. Article 42(7) TEU does not empower the EU to organize automatic collective defence; its implementation depends on decisions by the Member States, which European institutions can support but not supplant.

Art. 222 TFEU: The Solidarity Clause

Article 222 TFEU requires the Union and its Member States to act jointly in a spirit of solidarity if a Member State is the victim of a terrorist attack or the victim of a natural or man-made disaster. The Union shall mobilize all the instruments at its disposal, including the military resources made available by the Member States.

Legal literature observes that this clause has a broad material scope but is primarily designed for managing internal crises rather than classic collective defence²⁶⁵. Its activation presupposes that the crisis overwhelms the response capacity of the affected State. Implementation is governed by Decision 2014/415/EU, which integrates the clause into the EU's crisis management structures (Integrated Political Crisis Response Arrangements and Civil Protection Mechanism), while maintaining distance from the military core of the CSDP.

The relationship between Article 222 TFEU and Article 42(7) TEU is one of complementarity. The former addresses armed aggression and imposes reciprocal obligations among States; the latter encompasses a broader spectrum of threats (including terrorism), with a coordinating role for the Union and the possibility of mobilizing State military resources. In neither case is a general territorial defence competence or monopoly on the use of force transferred to the Union: both operate as enhanced cooperation instruments that presuppose, but do not supplant, the Member States' ultimate responsibility.

3.1.5 What Is Possible within the Current Regulatory Framework

Maximum Operational Integration without Formal Revision

Recent doctrine converges on the view that the synergistic activation of existing instruments (CSDP, PESCO, Article 44 TEU) enables the establishment of advanced defence capabilities even without formal reforms²⁶⁶. The following are legally feasible: the creation of a permanent

²⁶⁵ Steven Blockmans, "Implementation of the Solidarity Clause in Article 222 TFEU," *Legal Issues of Economic Integration* 42, no. 3 (2015): 285–292; Council Decision 2014/415/EU of 24 June 2014 on the arrangements for the implementation by the Union of the solidarity clause, OJ L 192 (1 July 2014).

²⁶⁶ Horn, *European Defence Under the Treaties*, 28–35; Masto, "Common Security and Defence Policy," 175–185.

rapid deployment force under European command with pre-assigned national contingents; the consolidation of integrated multinational units (along the lines of Eurocorps) placed at the Union's disposal; and the development of a highly centralized industrial and technological base (EDTIB), propelled by the Commission and EDA through the European Defence Fund.²⁶⁷

From this perspective, the CSDP serves as a legal framework for developing the European defence industry, effectively extending EU action into traditionally sovereign sectors while remaining anchored in intergovernmental logic and the principle of conferral. This amounts to a functional federalization of defence: robust integration of functions and means, without formal statehood. Such a model is particularly well-suited to threats like terrorism, enhancing rapid deployment capabilities, shared military intelligence, and the protection of critical targets.

Structural Limits: Decision, Budget, Jurisdiction

Three structural limits define the space within which it is possible to move without reforming the Treaties:

- a) The persistence of unanimity, combined with the inapplicability of the flexibility clause (Article 352 TFEU) to CFSP matters, precludes the adoption of genuine supranational defence legislation and prevents the supersession of the intergovernmental method²⁶⁸.
- b) Article 41(2) TEU prohibits charging the costs of military operations to the Union's general budget. This necessitates recourse to off-budget instruments like the European Peace Facility, whose extra-budgetary nature impedes the creation of a structured, permanent defence budget²⁶⁹.
- c) Articles 24(1) TEU and 275 TFEU severely restrict the Court of Justice's jurisdiction over CFSP/CSDP decisions, thereby limiting the constitutional effects of any deep integration²⁷⁰.

3.1.6 Toward a Genuine European Defence Union: The Need for Treaty Revision

To confer upon the Union a concurrent competence in defence matters, systematically overcome unanimity, or extend the Court's jurisdiction to strategic decisions, a formal Treaty revision under Article 48 TEU would be required. Recommendations from the Conference on the Future of Europe advocate, in this regard, a "constitutionalisation" of defence through the partial transfer

²⁶⁷ Meershoek, "Constraints of Power Structures," 850–855; Lorenzo Mola, "European Technological Sovereignty in the Strategic Compass," *European Papers* 8, no. 2 (2023): 465–470.

²⁶⁸ Piet Eeckhout, *EU External Relations Law*, 3rd ed. (Oxford: Oxford University Press, 2022), 204–210.

²⁶⁹ Council Decision (CFSP) 2021/509 of 22 March 2021 establishing a European Peace Facility, OJ L 102 (24 March 2021); Horn, *European Defence Under the Treaties*, 40–45.

²⁷⁰ Geert de Baere and Ramses A. Wessel, "EU Law and the CSDP," in *The Law and Practice of Piracy at Sea*, ed. Panos Koutrakos and Nikolaos Skordas (Oxford: Hart Publishing, 2014), 168–175.

of competences to the TFEU and reform of Article 41 TEU. Absent such measures, a European Defence Union would remain a political construct resting on intergovernmental foundations, lacking the defining attributes of statehood.²⁷¹

In conclusion, systematic analysis reveals that the architecture of Articles 42–46 TEU, tempered by the reservation in Article 4(2) TEU, permits significant advances in managing transnational threats such as terrorism. However, on a material-constitutional level, attributing to the Union the monopoly on the legitimate use of force appears incompatible with the current regulatory framework. This tension between the drive toward integration and the persistence of State sovereignty delineates the space within which to assess whether an EU defence force can effectively bridge the gap between threat and response without disrupting the constitutional balance of the Treaties.

3.2 A European Defence Force in the Face of Terrorism: Possible Functions and Structural Limits

The analysis conducted in the first two chapters has demonstrated that contemporary terrorism in Europe constitutes a threat that systematically transcends national borders. The jihadist networks responsible for the Madrid, Paris, and Brussels attacks mobilized logistical resources across multiple Member States, exploited the freedom of movement within the internal market, and capitalized on asymmetries between national legal systems. In all three cases, the ease of crossing legal and geographical borders highlighted the gulf between the transnational nature of the threat and the predominantly State-centric organization of responses.

The European response has focused primarily on the Area of Freedom, Security and Justice (AFSJ). Directive (EU) 2017/541 harmonized the definition of terrorist offences and preparatory acts, while instruments such as the European Arrest Warrant, Joint Investigation Teams, SIS II, and Europol's European Counter Terrorism Centre (ECTC) have significantly enhanced operational cooperation. The Union has thus established itself as a counterterrorism actor through normative, policing, and internal intelligence instruments, rather than through the projection of military force. The centre of gravity of the response has remained confined to the AFSJ, relegating the CSDP dimension to a subsidiary and indirect role.

This asymmetry is not accidental but reflects deliberate institutional choices. As analysed in section 3.1, the CFSP/CSDP architecture constitutes a special regime distinct from the ordinary model of integration. Its competences are heavily conditioned by the intergovernmental method, limitations on judicial review, and constraints on financing military operations (Article 41(2) TEU). By contrast, counterterrorism has historically been embedded within the internal affairs pillar, where the Community method (and its variants) has enabled intensive normative

²⁷¹ Conference on the Future of Europe, Report on the Final Outcome (Brussels, May 2022), proposals 30–36.

production and the steady expansion of European agencies. This has resulted in a de facto division of labour: the AFSJ bears primary responsibility for preventing and suppressing terrorism, while the CSDP plays a framing role relevant primarily to external scenarios or internal crises of exceptional gravity.

Within this framework, the proposal to establish a unified European defence force must be evaluated in functional terms. Beyond the question of legal feasibility (addressed in section 3.1), it is essential to assess what such a force could realistically contribute compared to the existing architecture, in light of the empirical characteristics of European terrorism reconstructed in Chapters 1 and 2. This evaluation must ultimately confront three critical issues: the predominantly endogenous nature of radicalization processes, the hybrid character of the threat, and the persistent marginality of armed forces within a counterterrorism ecosystem still dominated by law enforcement agencies and judicial authorities.

3.2.1 From Reactive Model to Systemic Prevention

The comparative analysis of responses to the Madrid, Paris, and Brussels attacks revealed a common pattern: the European system proves relatively effective in post-attack coordination but remains structurally weak in systemic prevention.

In the Madrid case, the interweaving of jihadist networks and organized crime nexus underscored the crime-terror nexus and the challenges of managing cross-sectoral phenomena within siloed institutional compartments. Similarly, the Paris and Brussels attacks demonstrated how intensified intergovernmental cooperation failed to disrupt the operational continuity of the jihadist network, which exploited information asymmetries and the absence of joint risk assessments to strike repeatedly.

This dynamic aligns with the theoretical framework outlined in previous chapters, drawing on securitization theory and multi-level governance. While terrorism is continually framed as an existential threat, the resulting emergency logic has paradoxically reinforced the primacy of State sovereignty in security management, hindering the transition to authentically integrated models. Despite sophisticated instruments like Europol's ECTC, the current operational architecture remains constrained by the principle of voluntary information exchange. Consequently, it reacts efficiently to attacks but struggles to prevent highly mobile and adaptive networks from systematically exploiting jurisdictional gaps.

In this context, the hypothesis of a European defence force emerges as a potential remedy for the mismatch between a globalized threat and national responses. A critical evaluation of this option, however, requires distinguishing its potential functions across three domains: external projection, management of high-intensity internal crises, and countering hybrid threats.

3.2.2 Existing CSDP Missions

To assess realistically the potential contribution of integrated military capacity to counterterrorism, it is instructive to examine operational CSDP missions that have included counterterrorism objectives, directly or indirectly. Three cases stand out: EUTM Mali, EUFOR Althea in Bosnia-Herzegovina, and EUNAVFOR Med Sophia.

Launched in 2013 and still ongoing, the EUTM Mali mission represents the Union's most explicit effort to counter Sahelian jihadism by training local armed forces. Since inception, it has trained over 20,000 Malian military personnel in counterinsurgency and counter-terrorism techniques, with a cumulative budget of approximately €800 million²⁷². The objective was to bolster the operational capabilities of the Malian Armed Forces (FAMA) against jihadist groups such as Al-Qaeda in the Islamic Maghreb and Jama'at Nusrat al-Islam wal-Muslimin, which maintain operational bases in northern Mali from which they coordinate attacks and recruit foreign fighters, including European citizens.

Independent evaluations by the Stockholm International Peace Research Institute (SIPRI), however, have identified significant structural limitations. Only a minority of Union-trained personnel participate in counterterrorism operations, while the majority remain sidelined due to equipment shortages, command chain dysfunctions, and endemic corruption²⁷³. The mission's impact on reducing the terrorist threat to Europe thus remains indirect and difficult to quantify. No data demonstrate a significant correlation between EUTM Mali activities and a decline in the flow of European foreign fighters to the Sahel or the return of radicalized combatants to Union territory²⁷⁴.

Operational in Bosnia-Herzegovina since 2004, EUFOR Althea is the Union's longest-running military mission. With a cumulative budget exceeding €2 billion and troop levels ranging from 700 to 1,200 personnel, it has sustained post-Dayton stabilization and supported local authorities in managing potential security threats.²⁷⁵ Althea's direct relevance to counterterrorism is marginal, but the case is instructive for understanding the limits of CSDP democratic accountability. While Althea's direct relevance to counterterrorism is marginal, the mission illuminates the limits of CSDP democratic accountability. Despite its two-decade duration and

²⁷² European External Action Service (EEAS), "EUTM Mali: European Union Training Mission in Mali," 2023; SIPRI, *The European Union Training Mission in Mali: An Assessment*, Background Paper (Stockholm: SIPRI, April 2022), 12–15.

²⁷³ SIPRI, *EU Military Training Missions: A Synthesis Report* (Stockholm: SIPRI, May 2022), 28–32; Richard Gowan and John Karlsrud, "Evaluating EU Training Missions in Africa," *Third World Quarterly* 39 (2018): 2090–2105.

²⁷⁴ SIPRI, *The European Union Training Mission in Mali*, cit., p. 35–38.

²⁷⁵ Jannik Knauer, "EUFOR Althea: Appraisal and Future Perspectives of the EU's Military Operation in Bosnia and Herzegovina," *European Diversity and Autonomy Papers* 7 (2011): 8–12; European External Action Service (EEAS), "EUFOR Althea Factsheet," 2024.

substantial costs, the European Parliament has never been able to block or amend operational mandates, confining itself to non-binding annual resolutions. National parliaments, informed via interparliamentary mechanisms, lack effective tools for substantive oversight of Council strategic decisions.²⁷⁶

EUNAVFOR Med Sophia, active in the central Mediterranean from 2015 to 2020, had an initial mandate to counter human smuggling but was progressively expanded to address arms trafficking, activities deemed linked to terrorist financing. The operation intercepted over 500,000 migrants and destroyed approximately 500 vessels. However, human rights organizations such as Amnesty International condemned illegal pushbacks and systematic rights violations, without the European Parliament securing meaningful changes to the mandate²⁷⁷. Sophia was ultimately suspended in 2020 and replaced by EUNAVFOR Irini with a narrower scope. This experience confirms that CSDP operations with collateral counterterrorism dimensions can yield operational results, but within a framework of democratic and jurisdictional deficits that complicates balancing effectiveness and rights protection.

These three cases yield provisional conclusions. First, CSDP contributes marginally to indirect counterterrorism, particularly through external capacity-building and stabilization missions. Second, the tangible impact on threats to Europe remains limited and contingent on local factors beyond Union control. Third, CSDP missions operate amid weak accountability mechanisms, where the European Parliament and national parliaments exercise largely formal oversight, while the Court of Justice remains sidelined by Article 275 TFEU. These structural tensions must be addressed before envisaging any significant expansion of the CSDP's counterterrorism role, particularly in domestic or constitutionally sensitive scenarios.

3.2.3 Three Realistic Functions of a European Defence Force with Respect to Terrorism

External Function: Projection in Crisis Theatres and Neutralization of "Sanctuaries"

The first area concerns intervention in extra-EU scenarios where jihadist networks have established logistical bases and training centres. The trajectory of the so-called Islamic State, characterized by the mobilization of thousands of Foreign Terrorist Fighters to Syria and Iraq, made manifest the nexus between instability in collapsed areas (failed states) and the threat to the Union's internal security.

A European defence force could fulfil three functions. First, participate in stabilization and state-building operations in areas characterized by institutional collapse, where power vacuums create

²⁷⁶ DCAF, Parliamentary Oversight of ESDP Missions, 25–28.

²⁷⁷ Amnesty International, "EU: Diminished 'Operation Sophia' Abandons Refugees and Migrants to Reckless Libyan Coast Guard," 26 March 2019; C. M. Zichi, "Operation Sophia: A Mirror of EU Political Disagreement on Migration," *Athens Journal of Mediterranean Studies* 11 (2025): 167–180.

"sanctuaries" for jihadist groups. Second, support for local security forces through capacity-building and mentoring in counterinsurgency and counter-terrorism functions. Finally, in extreme scenarios, contribution (in coordination with other international actors) to targeted neutralization operations against armed groups demonstrating a proven operational nexus with threats directed at Union territory. Although missions such as EUTM Mali or EUCAP Sahel have already included counterterrorism objectives, academic literature remains cautious since the effectiveness of such interventions is often undermined by local political fragilities and the absence of coherent exit strategies.

For the purposes of this thesis, it is crucial to observe that such interventions primarily address exogenous factors of the threat. The phenomenology analysed in Chapters 1 and 2 confirms that terrorism in Europe today increasingly draws sustenance from endogenous dynamics such as socio-spatial marginalization, integration failures, online self-radicalization pathways, and decentralized organizational structures. A European defence force would therefore enhance the capacity to act in theatres that nourish certain jihadist networks but could only indirectly influence radicalization processes originating within European societies.

At the same time, completely disregarding the external dimension would mean overestimating the internal autonomy of the phenomenon. The Islamic State experience shows how the combination of territorial control, autonomous fiscal capacity, and propaganda power amplified the jihadist project's appeal among specific segments of European societies. The presence of a quasi-state actor capable of offering a totalizing political horizon constituted a powerful mobilization factor for foreign fighters, as well as a source of operational expertise. From this perspective, enhancing the Union's capacity to manage crisis theatres through integrated defence instruments could, at least partially, reduce the ability of jihadist groups to position themselves as political-military and logistical referents for networks active in Europe. This does not alter the fundamental reality but qualifies it: a European defence force cannot substitute internal prevention policies but can contribute to draining some external pools of legitimation and operational reinforcement.

Internal Function: Military Support in Massive or Hybrid Crisis Scenarios

The second area concerns the possible support function in particularly severe internal crises. Drawing from the dynamics analysed in case studies, we can hypothesize scenarios involving coordinated attacks across multiple cities, campaigns of low-threshold but repeated attacks, or combinations of terrorist violence, urban riots, and assaults on critical infrastructure.

The mutual assistance and solidarity clauses provided by Articles 42(7) TEU and 222 TFEU already enable mobilization of military means made available by Member States to assist a State struck by a large-scale terrorist attack. However, the French experience of 2015 demonstrated

that such clauses tend to result in bilateral cooperation rather than genuine Europeanization of security responses.

A permanently integrated defence model (along the lines outlined in section 3.1.1) would permit deployment of European units to secure critical infrastructure, thereby allowing police forces to concentrate on intelligence activities. Specialized capabilities would also be systematized, such as CBRN (chemical, biological, radiological, and nuclear) defence, difficult for individual States to sustain independently.

However, Chapters 1 and 2 suggest caution regarding the temptation to militarize the response to terrorism. On one hand, extending the role of armed forces in managing internal crises (on the model of *Opération Sentinelle*) risks normalizing emergency mechanisms and fuelling securitization dynamics. In a Union founded on the rule of law, the militarization of internal responses could compress civil liberties and shift the symbolic centre of gravity from justice to visible force. On the other hand, the very structure of the threats considered (lone actors, low-threshold networks, crime-terror nexus) confirms that crucial prevention and interdiction functions remain the domain of police forces, civilian intelligence, and the judiciary, regardless of the degree of European military integration. Specialized doctrine confirms this framework: although the defence dimension frequently appears in programmatic documents, Union counterterrorism action continues to gravitate around Area of Freedom, Security and Justice instruments²⁷⁸.

The French experience with *Opération Sentinelle* is instructive. Since 2015, thousands of soldiers have permanently guarded stations, airports, and public spaces, transforming military presence into an ordinary feature of the urban landscape. Deploying a European defence force in a similar manner would risk exacerbating this trend, visibly shifting the response to terrorism from the judicial and intelligence dimension to armed force. For a Union whose identity rests on the rule of law, such an approach would require democratic guarantees, political oversight and jurisdictional controls currently absent in the CSDP architecture.

Further confirmation of these limits emerges from analysis of the crime-terror nexus. As demonstrated in Chapter 2, the jihadist networks behind the Madrid and Brussels attacks drew sustenance from urban illicit markets (weapons, false documents, drugs) and underground economies rooted in peripheral contexts. Successful investigations were obtained through undercover operations, infiltrated informants, and targeted judicial cooperation: instruments proper to police forces and civilian intelligence services. A European defence force could, at most, exert indirect pressure on external supply chains, but not substitute the granular work of

²⁷⁸ Christian Kaunert and Sarah Léonard, *The Collective Counter-terrorism of the European Union* (London: Routledge, 2019). Gli autori evidenziano come, nonostante l'integrazione della retorica antiterroristica nei documenti CSDP, la risposta effettiva dell'Unione sia rimasta solidamente ancorata agli strumenti del "Area of Freedom, Security and Justice" (AFSJ).

daily intelligence and counter-action. This confirms that, with respect to the heart of the European counterterrorism problem, the military dimension remains ancillary and complementary, not central or substitutive.

Hybrid Function: Deterrence and Response to Asymmetric Terrorist Threats

The third area concerns hybrid threats in which terrorist elements combine with cyberattacks, sabotage, and disinformation campaigns orchestrated by state or para-state actors. In these scenarios, the traditional distinction between internal security and external defence becomes blurred, and military capabilities (especially in the cyber and space domains) acquire greater relevance.

As highlighted in Chapter 1, the evolution of terrorism toward post-organizational models and low-threshold tactics does not preclude that such groups may be instrumentalized, financed, or empowered by external subjects seeking to destabilize the Union. An integrated defence force, equipped with robust ISR (Intelligence, Surveillance, Reconnaissance) components, would prove decisive in protecting critical infrastructure (energy networks, submarine cables, satellite systems), whose vulnerabilities amplify the impact of violent actions. Recent CSDP orientations, reflected in the Strategic Compass and Rapid Deployment Capacity documents, demonstrate growing attention to these risks and the need for an integrated response combining civilian and military instruments²⁷⁹.

Even in this case, however, terrorism constitutes only one element of a broader mosaic. European military capabilities can raise the costs for state actors or proxies intending to use terrorist violence as a tool of strategic pressure and reduce the Union's structural vulnerability. They cannot, however, legally or operationally supplant prevention policies, deradicalization efforts, and daily countermeasures against political violence, which remain firmly rooted in domestic legal systems and AFSJ cooperation frameworks.

Some recent cases of damage²⁸⁰ or sabotage to European energy and digital infrastructure, while not strictly attributable to terrorist dynamics, illustrate how thin the boundaries can become between criminal threat, hostile actions by third states, and potential terrorist instrumentalizations. The vulnerability of submarine cables, electrical grids, logistics hubs, and satellite systems creates an operational space in which violent groups can position themselves as executors or indirect beneficiaries of broader destabilization strategies. In such scenarios, a European defence force equipped with specialized surveillance and protection capabilities could help shrink the operational space available to terrorist networks and their possible external sponsors. Once again, however, this contribution would operate at a systemic and preventive

²⁷⁹ Council of the European Union, *A Strategic Compass for Security and Defence* (Brussels, 2022), 18–24;

²⁸⁰ On the sabotage of the Nord Stream gas pipelines (September 2022) and the damage to submarine communication infrastructure in the Baltic Sea (October 2023), see contemporary reporting and governmental statements.

level, integrating but not substituting the competences of internal authorities tasked with legally qualify incidents, attributing responsibility, and upholding the rule of law.

3.2.4 Interim Evaluation: Added Value and Limits of a "Defensive" Response to Terrorism

The analysis conducted thus far permits an interim evaluation. Even within the constraints of current primary law, a European defence force would make significant contributions in three directions: enhanced projection in external theatres (beyond the Union's borders), subsidiary support to Member States in massive crisis scenarios, and bolstering systemic resilience against hybrid threats and infrastructural sabotage.

However, empirical evidence from Chapters 1 and 2 suggests that Union vulnerability stems less from a military capability than from the persistence of the intergovernmental paradigm and fragmentation of internal security competences. Even deep defence integration would remain ancillary to a counterterrorism ecosystem that ultimately depends on fluid intelligence sharing, harmonized criminal frameworks, and effective deradicalization processes.

This assessment finds support in the U.S. model. Despite defence being a centralized federal competence, domestic counterterrorism remains the domain of civilian agencies (FBI, DHS), while deployment of armed forces on national soil is rigidly limited by the Posse Comitatus Act. If even in a mature federal system the investigative and judicial dimension is privileged over militarization of internal security, this corroborates the hypothesis that, in the Union, a defence force cannot supplant challenges posed by terrorism intrinsically tied to endogenous social and criminal dynamics.

Analysis of integrated defence functions in relation to terrorism permits two systemic implications to be drawn. First, the added value of the military dimension is greatest in intervention on global commons or threats exceeding individual States' capacities. Second, for the phenomenology of "proximity terrorism" (internal radicalization and planning), decisive instruments remain those of the Area of Freedom, Security and Justice (AFSJ).

This dual observation requires not considering the defence force as a mere additional "module". Rather, it should be seen as a catalyst for rebalancing levels of government and redistributing political responsibilities. It is precisely this interplay of operations, competences, and fundamental rights protection that demands reflection on the risks of hyper-securitization and the accountability requirements such evolution would impose on the Union's multi-level legal order.

3.3 Constitutional and Democratic Risks of a European Defence Force

The analysis of operational functions conducted in the preceding section demonstrated that a European defence force, within the limits imposed by current Treaties, could mitigate some

structural vulnerabilities in the European counterterrorism response. However, any evolution toward integrated military capabilities raises unavoidable constitutional and democratic questions. If terrorism, as reconstructed in Chapters 1 and 2, justifies the adoption of exceptional measures at the national level, what happens when such measures are "Europeanised"?

This section examines the risks of this paradigm shift. First, the potential for hyper-securitization stemming from extending emergency logics to the Union level (3.3.1). Second, the accountability challenges of multi-level governance in European defence, with particular focus on the role of the European Parliament, national control mechanisms, and the jurisdiction of the Court of Justice (3.3.2).

3.3.1 Securitization at EU Level

Securitization theory, referenced in earlier chapters, explains how terrorism is constructed as an existential threat in order to justify exceptional measures bypassing ordinary democratic processes. Buzan, Wæver, and de Wilde observe that securitization elevates political issues to security threats, legitimizing responses that circumvent normal decision-making²⁸¹. At the national level, such measures (state of emergency, simplified searches, preventive intelligence) are legitimized by the State's monopoly on force and subject to parliamentary, constitutional court, and public scrutiny. When the exception mechanism is transferred to the European level, however, structural constitutional tensions are generated.

The CSDP architecture is inherently exceptional, exempt from ordinary integration principles. This manifests in unanimous Council and European Council decision-making (Articles 24 and 42 TEU), exclusion of ordinary legislative procedure with the European Parliament, and separate financing (Article 41 TEU). This exceptionalism compresses democratic safeguards. The European Parliament, representing citizens, enjoys only indirect, limited access to CSDP information (Article 36 TEU), without powers to amend or veto operational decisions. National parliaments, informed via mechanisms like the subsidiarity protocol, face linguistic and political fragmentation in interparliamentary cooperation, rendering effective oversight elusive.

Jurisdictionally, Article 275 TFEU creates a perilous "grey zone." While the Court has asserted competence over individual sanctions, in cases such as *El-Menjawi* (C-220/18 P), it reaffirmed its general lack of jurisdiction to review CFSP acts²⁸². This lack of robust judicial control is particularly critical in counterterrorism, where use of force risks crystallizing exceptional measures lacking adequate balancing against the Charter of Fundamental Rights.

A further concern arises in field operations' rights protection. Although the Charter formally applies to all EU law, practice reveals significant gaps in effective remedies. Hypothetical

²⁸¹ Barry Buzan, Ole Wæver, and Jaap de Wilde, *Security: A New Framework for Analysis* (Boulder, CO: Lynne Rienner, 1998), chap. 5.

²⁸² Court of Justice of the European Union, Case C-220/18 P, *El-Menjawi*, ECLI:EU:C:2020:123.

deployment of a European defence force in internal counterterrorism would compound deficits: to the Council's lesser political accountability would be added the absence of a proximate judge capable of balancing security needs with individual freedoms.

The French Opération Sentinelle precedent is paradigmatic. Normalization of exception required Conseil d'État interventions to curb excesses in searches and detentions. Absent an equivalent European judicial backstop, the Union risks militarizing internal security without commensurate democratic counterweights

3.3.2 National Securitization of Terrorism: Three Experiences Compared

To understand the risks of European securitization of terrorism through military instruments, a brief comparison of three national experiences deploying armed forces against attacks or threats proves instructive: France, Belgium, and the United Kingdom.

In France, Opération Sentinelle was launched in January 2015, immediately after the Charlie Hebdo attacks, and saw the permanent deployment of approximately 10,000 military personnel on national territory to guard sensitive sites, symbolic targets, and high-traffic public spaces. The operation, which employs between 7,000-10,000 soldiers daily, has an estimated annual cost of approximately €1.5 billion euros, for a cumulative total exceeding €3 billion in the 2015-2020 period²⁸³. It was conceived as a temporary measure but was progressively normalized, becoming an almost ordinary component of the French urban landscape. The Conseil d'État intervened repeatedly to limit soldiers search and detention powers, ruling that extensions without legislative basis violated legality and fundamental rights principles. Critical studies highlight Sentinelle as embodying exception normalization, risking structural militarization of internal security and compression of civil liberties²⁸⁴.

Belgium adopted an analogous mechanism, called Operation Vigilant Guardian, after the Brussels attacks of March 2016. In this case too, approximately two thousand military personnel were permanently deployed to guard airports, railway stations, public buildings, and sensitive neighbourhoods. The Belgian Constitutional Court censured some extensions of the operational mandate decided by the government without adequate legislative coverage, holding that prolonged deployment of armed forces in internal security tasks required a clear normative basis

²⁸³ Cour des comptes (France), L'opération Sentinelle, Rapport public thématique (Paris, September 2021), 42–48;

²⁸⁴ On Operation Sentinelle and the normalization of exception, see the critique of structural militarization of French internal security in E. Baranets, *La militarisation de la sécurité intérieure*, or in collective studies such as *European urban (counter-)terrorism's spacetime matters* (2021).

and effective parliamentary control²⁸⁵. In Belgium too, therefore, military deployment was subject to judicial scrutiny that placed limits on executive discretion.

The United Kingdom, despite having a tradition of clear separation between armed forces and internal security, resorted to the army on exceptional occasions, such as during Operation Temperer following the Manchester and London attacks in 2017²⁸⁶. However, deployment was time-limited and subject to stringent parliamentary control. British legal culture remains strongly anchored to the principle that internal security is the responsibility of police forces, not armed forces, except in situations of formally declared national emergency.

These cases illustrate that national military counterterrorism deployments face robust judicial and parliamentary controls. Constitutional courts, state councils, and parliaments serve as bulwarks against securitization drift, limiting duration, powers, and methods. Europeanising this mechanism, however, structurally weakens these safeguards. As analysed in section 3.1, CSDP relies on unanimous Council decisions, limited parliamentary oversight, and attenuated Court jurisdiction. A European defence force in internal counterterrorism would risk an accountability vacuum absent the national-level judicial-parliamentary corrections.

3.3.3 Multi-Level Governance and Accountability in European Defence

Multi-level governance describes the Union as a stratified decision-making space, in which states, supranational institutions, and informal networks share competences and responsibilities. In the field of security and defence, however, stratification produces a specific asymmetry. While terrorism prevention develops through multi-level cooperation integrating AFSJ, agencies, and national authorities, the CSDP dimension remains predominantly intergovernmental, with fragmented accountability.

The crucial question is: who decides on the deployment of common military assets against terrorist threats? The mechanism entails unanimous Council decision (Article 42 TEU) or European Council strategic guidance. These guarantees ensure Member States consent, risking decision-making paralysis in emergencies and yielding only formal parliamentary control.

The European Parliament enjoys limited CSDP access to information without amendment or veto powers (Article 36 TEU). The EUNAVFOR Med Sophia debate (2015–2020) exemplifies this: despite EP’s criticism on migration and rights, Parliament secured no mandate changes, issuing only non-binding resolutions. National parliaments, via protocols, suffer information

²⁸⁵ Cour constitutionnelle (Belgium), Judgment no. 84/2017, 29 June 2017; M. Thiry, “L’emploi des forces armées en sécurité intérieure: enjeux constitutionnels,” *Revue belge de droit constitutionnel* (2018): 215–230.

²⁸⁶ House of Commons Library, *Military Aid to the Civil Authorities (MACA)*, Briefing Paper no. 9601 (London, 2022), 12–15.

asymmetries and coordination deficits despite initiatives like the CSDP interparliamentary conference or COSAC reports²⁸⁷. The result is a form of "hybrid accountability" that guarantees neither democratic supranational control nor effective accountability of national governments for collective choices.

This structure creates a "constitutional grey zone," in which exceptional force powers are exercised with weakened control mechanisms. Doctrines has criticized this configuration as a source of intrinsic democratic deficit, particularly grave in a context of terrorism securitization. As Peers notes, "the special nature of CFSP/CSDP removes decisions of vital importance from ordinary democratic scrutiny, creating a 'black hole' of accountability"²⁸⁸.

Comparison with the AFSJ area is instructive. In the field of justice and home affairs, the European Parliament exercises effective co-decision, can block directives, and has full access to Europol and Eurojust information²⁸⁹. The Court of Justice exercises full review, as demonstrated in the Schrems II case (C-311/18), which invalidated the Privacy Shield for systemic violations of digital rights. This structural difference explains why the EU has succeeded in building an effective counterterrorism ecosystem in AFSJ but struggles to extend analogous logics to defence.

Accountability deficits thus structurally limit military integration. Without bolstering controls (enhanced EP role, CJEU jurisdiction expansion, effective national parliamentary involvement), defence Europeanization risks an uncontrollable exception regime incompatible with Union democratic and rule-of-law principles.

3.3.4 The Limited Jurisdiction of the Court of Justice and Fundamental Rights in CSDP Operations

One of the most significant asymmetries between the AFSJ area and CSDP concerns the Court of Justice jurisdiction of the European Union. While in the field of justice and home affairs the Court exercises full review over the legality of acts and the protection of fundamental rights, CFSP and CSDP are subject to a derogatory regime that severely limits judicial control.

Article 275 TFEU establishes that the Court of Justice shall not have jurisdiction with respect to the provisions relating to the common foreign and security policy, nor with respect to acts adopted based on those provisions. The only exception concerns review of compliance with Article 40 TEU, which delimits competences between CFSP and other Union policies, and review of the legality of restrictive decisions against natural or legal persons. This limitation

²⁸⁷ Cristina Fasone, "Interparliamentary Cooperation and Democratic Accountability in the Post-Lisbon European Union," *European Public Law* 21, no. 2 (2015): 341–364.

²⁸⁸ Steve Peers, *EU Justice and Home Affairs Law*, 4th ed. (Oxford: Oxford University Press, 2016), 52.

²⁸⁹ T. Renard, *EU Counterterrorism Policies and Institutions After the Lisbon Treaty*, Egmont Institute (2012)

creates a constitutional grey zone, in which operational decisions of great significance escape ordinary judicial review.

The El Menjawi case (C-220/18 P, 2019) illustrates this dynamic well. The Court excluded its own jurisdiction over a CSDP decision ordering the freezing of assets for security reasons, reiterating that provisions relating to CFSP cannot be subject to general judicial review²⁹⁰. More generally, the Court's case law illustrates that when CFSP/CSDP measures intersect with fundamental rights, judicial protection may be structurally constrained. This jurisprudence confirms that when CSDP encounters situations affecting fundamental rights, jurisdictional guarantees are attenuated compared to those operating in other sectors of Union action²⁹¹.

The contrast with the AFSJ area is evident. In the celebrated Schrems II case (C-311/18, 2020), the Court invalidated the Privacy Shield, a transatlantic agreement on personal data protection, for systematic violations of fundamental rights deriving from mass surveillance operated by U.S. authorities²⁹². The Court exercised full review over the agreement's compatibility with the Charter of Fundamental Rights, demonstrating the capacity to impose rigorous limits even on measures justified by national security needs. Nothing similar is possible in the CSDP context, where the combination of Article 275 TFEU and Article 24(1) TEU excludes judicial review comparable in intensity and scope.

This disparity poses a core constitutional problem: an internal counter-terrorism deployment by a European defence force would implicate rights to liberty, movement, privacy, and potentially life. Such interferences would evade full CJEU scrutiny, creating a rule-of-law "black hole" antithetical to the Union's constitutional identity. The need to fill this jurisdictional deficit therefore appears to be a preliminary condition for any significant extension of CSDP's role in counterterrorism. Without strengthening Court jurisdiction, Europeanisation of defence would risk creating a poorly controllable European exception mechanism, potentially incompatible with the principles of democracy and rule of law enshrined in Article 2 TEU.

3.3.5 Comparative Models of Military Deployment in Counterterrorism: United States, United Kingdom, and NATO

Analysis of the constitutional limits of European defence integration can be deepened through comparative examination of three extra-European experiences that faced analogous dilemmas: the United States, the United Kingdom, and NATO. Each of these systems developed specific legal mechanisms to regulate the use of armed forces in scenarios with counterterrorism

²⁹⁰ CGUE, C-220/18 P, El Menjawi, ECLI:EU:C:2019:301, pt. 58-62.

²⁹¹ Court of Justice of the European Union, Case C-562/13, *Abdida*, ECLI:EU:C:2014:2453, paras. 45-48.

²⁹² Court of Justice of the European Union, Case C-311/18, *Data Protection Commissioner v Facebook Ireland and Maximilian Schrems* ("Schrems II"), ECLI:EU:C:2020:559.

dimensions, and their analysis allows identification of both models of balancing effectiveness and democratic protection, and the structural risks connected to militarization of internal security.

The U.S. Model: Posse Comitatus Act and Insurrection Act

In the United States, the principle of separation between military and law enforcement functions is codified in the Posse Comitatus Act of 1878, which prohibits deployment of federal armed forces for policing activities on national territory except with express legislative authorization²⁹³. The rationale for the prohibition is rooted in American constitutional history: the fear that the army could be instrumentalized by the federal government to impose its authority on states or to compress civil liberties had led the founding fathers to conceive armed forces as an instrument of external defence, not internal control²⁹⁴. The Posse Comitatus Act was designed as a bulwark against possible authoritarian drifts, establishing that public order is primarily the responsibility of civilian, state, and federal police forces.

However, the Posse Comitatus Act has a significant exception: the Insurrection Act, a set of provisions dating from 1807 that allows the President to deploy armed forces on national territory in situations of insurrection, rebellion, or when enforcement of federal law is made impracticable by violent obstacles²⁹⁵. The Insurrection Act provides three intervention scenarios: Section 251 permits deployment at the request of the affected state; Section 252 authorizes federal intervention to suppress rebellions against U.S. law; Section 253, the broadest, allows the President to employ armed forces to suppress insurrections or violence that obstruct execution of federal laws or that deprive portions of the population of constitutional rights. The Insurrection Act has been invoked rarely but at critical moments in American history: during school desegregation in the 1950s and '60s, during urban disorders of the '90s, and more recently was the subject of public debate during the 2020 protests. American constitutional doctrine has emphasized how the Insurrection Act, while legitimate, presents structural risks: it confers broad discretionary margins on the President, does not provide stringent temporal limits, and requires only a public proclamation as a procedural condition²⁹⁶. Recent scholars have highlighted how jurisprudence following the *Trump v. United States* (2024) decision has further weakened controls on presidential power in this matter, extending presidential immunity to official acts and creating an accountability vacuum for potentially abusive military deployment orders.²⁹⁷

²⁹³ Posse Comitatus Act, 18 U.S.C. § 1385 (1878); Brennan Center for Justice, “The Posse Comitatus Act, Explained,” 13 October 2021.

²⁹⁴ Patrick Walsh, “The Posse Comitatus Act and the Fourth Amendment’s Exclusionary Rule: Lessons from the Past and Misgivings About the Future,” *American University National Security Law Brief* 8 (2018): 73–102, esp. 78–82.

²⁹⁵ Insurrection Act, 10 U.S.C. §§ 251–254;

²⁹⁶ Brennan Center for Justice, *Domestic Deployment of the Military* (August 2021);

²⁹⁷ M. E. Banks, “Domestic Military Deployments After *Trump v. United States*,” *William & Mary Law Review* 67, no. 1 (2025): 135–198, esp. 145–160.

Despite these limitations, the American system provides significant counterweights. Judicial control over deployment legality can be exercised by federal courts through the exclusionary rule principle, which allows exclusion of evidence collected in violation of the Fourth Amendment and Posse Comitatus Act; Congress maintains the power to limit financing of domestic military operations through budget restrictions; finally, the Department of Defence has developed internal guidelines that subordinate domestic military deployment to rigorous conditions subject to preventive legal review. These mechanisms, while imperfect, configure a system in which military exception is subject to legal and political constraints operating *ex ante* and *ex post*, preserving space for democratic contestation.

The British Model: War Powers Convention and Parliamentary Control

The United Kingdom represents a radically different constitutional model, founded on the War Powers Convention, an uncodified constitutional convention progressively developed starting from the Iraq war of 2003. The Convention establishes that the government must obtain House of Commons approval before committing British armed forces to armed conflicts abroad, except in emergency situations where delay would entail unacceptable risks to national security²⁹⁸. Unlike the United States, there is no formal prohibition analogous to the Posse Comitatus Act in the United Kingdom; however, a consolidated constitutional tradition reserves internal security to police forces, relegating the army to extraordinary support tasks in declared emergency situations.

Deployment of armed forces in operations with counterterrorism dimensions was subject to particularly intense parliamentary scrutiny after the 2017 attacks, when Operation Temperer deployed military personnel to guard sensitive targets. However, such deployment was temporary, subject to stringent parliamentary control, and limited to deterrence and logistical support functions, without attribution of arrest or search powers²⁹⁹. When the government attempted to extend use of armed forces in counterterrorism operations abroad, as in the case of targeted killings conducted with drones against British citizens suspected of terrorism, Parliament had to confront significant accountability deficits. Academic studies have highlighted how the use of Special Forces and drones in counterterrorism operations abroad escapes War Powers Convention mechanisms, creating grey zones in which the executive operates with limited parliamentary control and without effective judicial remedies for victims³⁰⁰.

²⁹⁸ Andrew Lang, "Parliamentary Accountability and the Use of Force: The UK's War Powers Convention," in *Deploying the Military: Democratic Accountability and the Use of Force*, ed. Philippe Lagassé and Stephen Saideman (Montreal: McGill-Queen's University Press, 2020), 67–85.

²⁹⁹ UK Ministry of Defence, "Operation Temperer: Military Aid to Civil Authorities," briefing paper (London, 2017).

³⁰⁰ M. Bennett, "Parliamentary Scrutiny of Counter-Terrorism Targeted Killings," *Parliamentary Affairs* 77, no. 2 (2024): 456–478; also available on SSRN, Paper No. 4612793 (2023).

The British case thus shows a system in which parliamentary control is structurally more robust compared to the U.S. model, but at the same time highlights how technological and operational evolution of armed forces (drones, special forces, hybrid operations) can progressively erode constitutional bulwarks built for traditional conflicts. The tendency toward "presidentialisation" of decisions on use of force, even in the British context, raises questions about the resilience of democratic controls when terrorist threats are securitized through military instruments.

The NATO Case: Invocation of Article 5 and Limits of Domestic Terrorism

The only invocation of Article 5 of the Washington Treaty, the collective defence clause that commits NATO allies to consider an attack against one as an attack against all, occurred on September 12, 2001, in the aftermath of Al-Qaeda attacks on the United States³⁰¹. The invocation, however, was subordinated to verification of an essential element: that the attack was "directed from abroad," that is, coordinated and planned outside U.S. territory. Only after U.S. officials presented to the North Atlantic Council evidence of Al-Qaeda involvement with operational bases in Afghanistan was Article 5 formally confirmed on October 2, 2001, giving rise to eight operational measures including deployment of NATO aircraft to patrol American skies³⁰².

This condition of "externality" is decisive from a legal and political standpoint. As doctrinal studies have highlighted, Article 5 cannot be invoked in response to domestic terrorism, that is, terrorist acts planned and executed entirely on a member state's territory by citizens of that state³⁰³. This limitation reflects the principle that NATO is a defensive alliance oriented toward external threats, not an instrument for managing member states' internal security. NATO's constitutional architecture indeed lacks democratic control mechanisms comparable to those provided for use of force at the national level: the North Atlantic Council decides by consensus, there is no NATO parliament with control powers, and the ICJ has no jurisdiction over NATO operations.

The contrast with Article 42(7) TEU, the European Union's mutual defence clause, is instructive. Article 42(7), invoked for the first time by France in November 2015 after the Paris attacks, does not explicitly require the externality element provided by NATO Article 5, theoretically opening the possibility of a European military response even to terrorist threats with internal components. However, as with NATO, the absence of an integrated command structure, effective European parliamentary control, and a fully operational judicial system make deployment of Article 42(7)

³⁰¹ North Atlantic Treaty Organization (NATO), "Statement by the North Atlantic Council," Press Release (2001)124, 12 September 2001.

³⁰² G. E. Howard, "Article 5 of the North Atlantic Treaty: Past, Present, and Uncertain Future," *Georgia Journal of International and Comparative Law* 31 (2003): 167–193.

³⁰³ European Parliament, *Article 5 Washington Treaty (NATO) and Article 42(7) TEU (EU)*, Briefing PE 739.250 (October 2022), 2;
NATO, "Collective Defence and Article 5," Topic Page, updated 11 November 2025.

as an instrument for countering internal terrorism problematic without incurring structural democratic deficits.

Comparative analysis highlights three lessons relevant to the debate on Europeanization of defence and counterterrorism. First, all examined systems provide explicit or implicit constitutional constraints on deployment of armed forces in internal security scenarios, constraints founded on the principle of separation between military and police functions. When such constraints have been overcome (as in the United States with the Insurrection Act or in the United Kingdom with temporary emergency operations), military intervention has been subject to significant parliamentary, judicial, or procedural control.

Second, technological and operational evolution (drones, special forces, hybrid operations) tends to erode the effectiveness of such controls, creating grey zones in which the executive has broad discretionary margins and parliaments struggle to exercise substantive control. This phenomenon, observed in both the United States and United Kingdom, is further aggravated at the supranational level, where democratic accountability mechanisms are structurally weaker.

Third, NATO experience demonstrates that even international organizations with consolidated military capabilities have limited invocation of collective defence clauses to clearly identified external threat scenarios, excluding domestic terrorism from their operational sphere. This approach reflects awareness that use of military instruments to manage internal threats entails constitutional risks requiring democratic bulwarks difficult to replicate at the supranational level.

For the European Union, these lessons suggest that any extension of CSDP's role in counterterrorism should be preceded by institutional reforms that strengthen parliamentary control, extend the Court of Justice's jurisdiction to CSDP acts affecting fundamental rights, and introduce accountability mechanisms comparable to those operating in the most protective national systems. Absent such reforms, the risk is that Europeanisation of defence in counterterrorism would reproduce, on a supranational scale, the pathologies observed at the national level, but without the counterweights that, in consolidated democratic systems, have historically limited security drift.

3.4 Overall Evaluation: To What Extent Does a European Defence Force Strengthen the Response to Terrorism?

3.4.1 Where a European Defence Force Adds Real Value

Analysis conducted in section 3.2 showed that integrated military capacity can offer real but selective added value with respect to terrorism.

On the external level, such capacity would enable the Union to intervene with greater strategic coherence in crisis theatres such as the Sahel and Levant, where jihadist networks directly connected to European territory have formed and reorganized. The possibility of combining stabilization missions, capacity-building of local forces, and, in extreme cases, targeted neutralization of armed groups linked to European networks can reduce the availability of safe havens and limit foreign fighter mobilisation potential. In this sense, common defence assets would contribute to correcting a structural vulnerability: the distance between the cross-border dimension of external threat drivers and the fragmentation of Member States' military capabilities.

In scenarios of massive or hybrid crisis on Union territory, Europeanized units could represent a reserve of capacity today exclusively national. Coordinated attacks in multiple cities, combinations of low-threshold violence and sabotage of critical infrastructure, or complex CBRN and cyber-physical scenarios rapidly require more resources than available to individual armed forces. In such exceptional contexts, such units could assume static guard tasks, protection of strategic infrastructure, and specialized technical support, freeing police forces and gendarmerie for intelligence and operational counter-action activities.

Finally, on the symbolic-political level, the existence of stably integrated defence assets would constitute a signal of strategic maturity. It would make more visible the Union's will to fill the asymmetry between a threat that systematically operates beyond national borders and still highly fragmented responses. In continuity with Strategic Compass orientations, such capacity would strengthen the EU's credibility as a security actor, internal and external, and contribute to building a narrative of shared responsibility, avoiding that every terrorist crisis reopens the conflict between national and supranational logic.

3.4.2 Where It Is Not the Central Instrument (and Risks Being Overestimated)

At the same time, Chapters 1 and 2 have clearly shown that terrorism striking Europe is largely endogenous and feeds on dynamics that escape the logic of military intervention. The trajectories of lone actors, online radicalization dynamics, and convergence between jihadist networks and urban criminality in the crime-terror nexus highlight a complex phenomenon that feeds on social fractures, spatial marginality, and digital spaces more than conventional force capabilities.

In this area, the decisive instrument remains the complex of policies and instruments developed in the Area of Freedom, Security and Justice: police, internal intelligence, criminal law, and prevention policies. Moreover, the Union's real counterterrorism ecosystem has developed over the past two decades around instruments such as Directive 2017/541, the European Arrest Warrant, Joint Investigation Teams, Europol, Eurojust, and ECTC. The operational successes recalled in the Madrid, Paris, and Brussels cases derive from the capacity to network intelligence, databases, and judicial cooperation, not from deployment of armed forces. A common military

capacity, even well-designed, would not substitute this operational core, but could at most flank it at extreme crisis margins.

There is finally the risk of symbolic militarization of the response to terrorism, already highlighted in section 3.3. Extended use of armed forces, especially if Europeanized, in internal scenarios can fuel hyper-securitization processes, normalize emergency logics, and shift the centre of gravity of political legitimation from the judicial and intelligence dimension to that of visible force. This occurs in an institutional context in which CSDP accountability mechanisms are weaker compared to those of AFSJ, with reduced margins of parliamentary and judicial control. Under these conditions, entrusting the military dimension with a central role in counterterrorism risks being not only operationally ineffective, but also democratically and constitutionally problematic.

3.4.3 A Nuanced Response: Which Model Makes Sense?

In light of the framework outlined in sections 3.1, 3.2, and 3.3, it is possible to articulate a nuanced response regarding the model that appears legally practicable and normatively sustainable.

The first model, that of a rapid reaction force composed of pre-constituted multinational units, is fully compatible with the current Treaties and can offer a concrete contribution especially in external dimensions and exceptional crises. It fits into current CSDP logic, strengthening the Union's capacity to intervene rapidly without radically altering the constitutional balance.

The second model envisions permanently integrated assets, with stable command chains and pre-assigned contingents. This too is theoretically possible within the existing regulatory framework, provided ultimate ownership of deployment decisions remains with Member States. Evolution in this direction could produce benefits in terms of strategic coherence and capacity to manage complex crises. However, it would require, as a condition, parallel strengthening of democratic and judicial control mechanisms, to avoid formation of a constitutional grey zone.

The third model, that of common defence in the strong sense comparable to a genuine European federal army, instead exceeds the interpretive margins of current Treaties. It would pose much deeper problems of compatibility with the current competence arrangement, with Article 4(2) TEU, and with existing accountability guarantees. Such a configuration would require formal Treaty revision and a refunding of the Union's constitutional balance.

The synthesis emerging from the entire chapter can be formulated thus: European terrorism systematically operates beyond national borders, but its predominantly endogenous nature, hybridization with criminality and social conflicts, and the centrality of the information domain

mean that the military dimension, even if integrated at the European level, cannot become the central instrument of counter-action. A common military capability makes sense and can add value if conceived as a component of a broader mechanism, in which the core remains constituted by AFSJ, police and judicial cooperation, and multi-level protection of fundamental rights

Conclusions

This thesis seeks to answer a question posed at the intersection of institutional design, constitutional law, and the sociology of political violence: to what extent could the establishment of a unified European defence force enhance the Union's capacity to prevent and counter jihadist terrorism. This question is not rhetorical or purely theoretical but stems from a structural observation. The three most significant jihadist attacks in the Union's history were perpetrated by networks whose operational logic was clearly transnational, while their prevention remained entrusted to national security structures that, by organization and method, retain an intergovernmental and voluntary nature. The preceding chapters have therefore provided the empirical foundation, comparative evidence, and legal-functional analysis necessary to address this issue with the required rigor.

The answer that emerges is neither unconditionally affirmative nor hasty. A European defence force could significantly contribute to the Union's counterterrorism capacity, but only within limited scope and provided it is not intended as the definitive solution to a problem whose roots are diverse. The vulnerabilities highlighted by the cases of Madrid, Paris, and Brussels did not lie in military shortcomings, but rather in deficiencies in intelligence integration and the information-sharing architecture within the Area of Freedom, Security, and Justice. While a European army cannot directly address these shortcomings, a selectively integrated military capability could, given the appropriate constitutional conditions and democratic guarantees, complement a civilian-led security architecture in ways that the current institutional fragmentation precludes.

I. The nature of the threat: genuinely transnational, predominantly endogenous

The first chapter outlined the phenomenological foundation upon which the entire analysis rests, revealing a complexity that political discourse tends to systematically simplify. Contemporary jihadist terrorism in Europe manifests itself as an intrinsically dual phenomenon, being both authentically transnational in its operational architecture and predominantly endogenous in its human geography.

The evolution from the hierarchical and territorially defined organizations of the 20th century, such as the IRA, ETA, or the Red Brigades, to the fluid and networked networks of al-Qaeda and the Islamic State marks a qualitative transformation rather than a simple shift in scale. The Madrid attacks revealed a structure that simultaneously drew on Moroccan jihadist networks, Spanish criminal supply chains (notably Asturian), and an ideological alignment developed in Afghan training camps. Similarly, the Paris attacks were orchestrated by ISIS's external task force using personnel trained in Syria, capable of moving weapons between at least four member states. The Brussels cell served, in effect, as the Paris network's continental logistics hub, operating synergistically across Belgian, French, German, and Dutch jurisdictions. In these

scenarios, the network's cross-border nature was not an ancillary factor, but rather a constitutive factor of its very effectiveness.

At the same time, empirical evidence supports a complementary observation of the opposite nature. The perpetrators of the Madrid, Paris, and Brussels attacks were, almost entirely, European citizens or long-term residents, social products of Madrid's urban peripheries, the Brussels municipalities of Molenbeek and Schaerbeek, or the French banlieues. Their radicalization developed within European contexts such as prison networks, local religious communities, the identity crises of second-generation immigrants, and the digital infrastructure of propaganda. The link between crime and terrorism, visible in the role of Asturian traffickers in the procurement of explosives or in the criminal records of the Paris attackers, roots these networks in urban social structures within the European space.

This dual nature is analytically crucial to the central research question, as it suggests that the primary dimension of the problem cannot be resolved through military intervention, however integrated. The destruction of ISIS sanctuaries in Syria and Iraq does not neutralize a threat whose operational personnel are Belgian or French citizens permanently embedded in the continental social fabric. If the transnational architecture of the phenomenon requires equally transboundary institutional responses, such solutions must be predominantly civilian (intelligence-led, regulated by justice, and informed by sociological analysis) overcoming the dominant logic of the military.

The evolution of the threat since 2016 supports this conclusion. The decline in large-scale, coordinated attacks has been accompanied by the rise of violence by lone actors or small cells, often merely inspired and not directed by central organizations, as demonstrated by the cases of Nice, Berlin, Vienna, and Strasbourg. These incidents present an even more endogenous operational logic than previous ones, being perpetrated by individuals whose radicalization takes place entirely within European social and digital environments. Because these attacks lack complex cross-border logistics or external direction, they are virtually impervious to traditional military defence tools.

II. The model of failure: architecture, not inability

The second chapter translated the previous theoretical observations into operational terms through a structured comparative analysis. The results obtained constitute the core of this thesis's empirical contribution, as they demonstrate how the failures observed in Madrid, Paris, and Brussels are not attributable to individual incompetence, lack of resources, or happenstance, but rather to a systemic architectural misalignment. These are recurring patterns of institutional dysfunction that have persisted for two decades across three different countries, despite the profound national reforms undertaken in the aftermath of each traumatic event.

The emerging pattern appears consistent and clearly identifiable. In each scenario analysed, various elements of the responsible network were already known to national intelligence services before the attacks took place. Fakhret's radical circle had been monitored by Spanish intelligence since 2001, and Abaaoud's international profile was flagged in several European databases. Likewise, the El Bakraoui brothers were known to the Belgian police, and the SIS II contained specific alerts for several Paris attackers, including Salah Abdeslam, other alerts existed but fragmented. In none of these cases did the available information allow for effective preventive

interdiction. Consequently, the crucial issue lies not in the failure to collect data, but rather in the inability to make one service's information accessible to others in a manner that would allow for coordinated preventive action.

The reason for this impediment lies in the structural organization of European counterterrorism cooperation. Although EU instruments such as Europol, the European Counter-Terrorism Centre, Eurojust, the Schengen Information System, and the PNR Directive represent substantial progress compared to the pre-2001 framework, they operate within a framework that remains, at its core, constitutionally intergovernmental and voluntary. Intelligence sharing continues to depend on the political willingness of individual states to exchange information perceived as sovereign assets. At the same time, updating databases remains tied to the administrative capacity and willingness of national authorities, just as cross-border operational coordination still requires the activation of ad hoc mechanisms, rather than the use of permanent integrated structures.

The reform paths examined in Section 2.4 confirm the limitations of adapting only to the national level within this architecture. Institutions such as the CITCO fusion centre in Spain, the expansion of the DGSI in France, or the strengthening of the OCAM in Belgium have certainly improved internal coordination, but they have not resolved the fundamental problem of information asymmetry among states confronting a threat whose operational geography ignores jurisdictional boundaries. Even the post-Paris reforms, including the strengthened mandate of the ECTC and the acceleration of the PNR, constituted incremental progress that, as demonstrated by the events in Brussels only three months after their adoption, failed to address the structural shortcomings inherent in the intergovernmental paradigm.

In conclusion, the comparative analysis of the case studies reveals a key lesson: the European counterterrorism architecture is systemically effective in reactive coordination, but structurally inadequate in proactive prevention. The system operates efficiently in the post-attack phase when political pressure temporarily dissolves institutional barriers and mobilizes resources around common objectives. Conversely, it struggles during latency periods, when fragmented information in national databases remains isolated, monitored entities move freely across the Schengen area, and the threshold for initiating joint operations requires a level of political consensus that the current voluntary framework is unable to consistently generate.

III. Legal architecture: possibility without adequacy

The primary objective of the third chapter was to establish how far the current regulatory framework of the Treaties actually allows for defence integration. This is a question that requires extreme terminological precision, necessary to avoid the opposing errors of constitutional pessimism and legally unfounded idealism. The resulting conclusion appears broader than commonly believed, but at the same time more limited than political rhetoric usually suggests.

Articles 42-46 TEU provide an enabling framework of an extensible nature rather than an insurmountable limit. The architecture of PESCO, the European Defence Agency, the rapid deployment capability, and the provisions of Article 44 TEU regarding enhanced cooperation missions, taken together, enable the construction of meaningfully integrated multinational military capabilities without the need for formal treaty revision. In this sense, the first two of the three conceptual models analysed are legally feasible under current primary law. This remains possible provided that the Council, acting unanimously, retains ultimate responsibility for

deployment decisions and that ownership of national forces is not transferred to the Union institutions.

The reservation contained in Article 4(2) TEU, which identifies national security as an essential State function, poses a real constitutional limit, although doctrine has progressively clarified its scope, moving beyond the idea of an absolute prohibition. While the Union has the power to coordinate, co-finance, and standardize equipment, as well as develop interoperable command structures and deploy multinational formations under CSDP mandates, it cannot, however, acquire permanent sovereign ownership of its military forces. Likewise, it is not permitted to adopt binding defence legislation by majority vote or subordinate Member States' territorial defence commitments to supranational direction. The third proposed model, regarding a common defence in the strict sense or a truly federal European army, exceeds the interpretative limits of the current Treaties and would require formal revision under Article 48 TEU. This path would necessarily have to address the profound constitutional issues of those Member States that consider national military sovereignty a supreme, non-negotiable norm.

The mutual assistance clause in Article 42(7) TEU and the solidarity clause in Article 222 TFEU offer frameworks for a collective response that does not imply the transfer of competences. France's activation of Article 42(7) following the Paris attacks confirmed that the clause's operational effectiveness is essentially bilateral, as it obliges each Member State to respond individually in accordance with its own legal system. This results in a patchwork of individual contributions rather than a unified European response. As argued in the chapter, the value of this provision is enabling rather than constitutive, as it creates the political space for coordinated action without imposing a specific institutional form.

Ultimately, the structural limitations of unanimous decision-making, military funding managed off budget through the European Peace Facility, and restrictions on the jurisdiction of the Court of Justice define the maximum threshold for possible integration into existing law. These elements are not merely technical constraints, but rather constitutional choices that reflect the member states' desire to retain ultimate authority over the use of military force. Overcoming them cannot therefore depend on complex legal engineering, but requires political will aimed at revising the Treaties, a path that in the current European context faces formidable obstacles.

IV. The functional verdict: selective value, not systemic solution

The functional analysis conducted in the third chapter has allowed us to reach the complex conclusion required by the central research question. The contribution of a European defence force to the fight against terrorism appears real but sectoral, valuable for certain areas yet insufficient when understood as a comprehensive response to the threat in its predominant contemporary configuration.

The areas of added value of integration

The external dimension constitutes the strongest argument in favour of an integrated military capability. The trajectory of jihadist terrorism in Europe, from the Madrid network's facilitators trained in Afghanistan to the Paris cell commanders returning from Syria, demonstrates how territorial sanctuaries outside Europe generate operational capabilities destined to be deployed on continental soil. A common defence force would allow the Union to intervene in critical theatres such as the Sahel, the Levant, or North Africa with greater strategic coherence. This

would combine military stabilization with development cooperation and strengthening the rule of law, overcoming the chronic limitations of the current fragmented architecture of CSDP missions, as evidenced by the inconclusive results of EUTM Mali or EUNAVFOR Med Sophia. The dismantling of the logistical infrastructure that trains and finances foreign fighters before their return represents a preventative function that no purely civilian instrument can replicate with equal effectiveness.

Furthermore, in the face of massive or hybrid crisis scenarios within the Union, such as large-scale coordinated attacks or a combination of terrorism and cyber sabotage directed by state actors or their proxies, an integrated military resource would provide a reserve capacity currently confined to the national level. The resurgence of threat indicators recorded after October 7, combined with the documented exploitation of terrorist networks in hybrid warfare contexts, suggests that such a scenario cannot be considered merely theoretical. Permanently integrated Union units ready for rapid deployment would be structurally more suited to managing such emergencies than current agreements, which require complex political negotiations for bilateral contributions under the pressure of urgency.

From a political and symbolic perspective, a credible military capability would signal the Union's strategic maturity, contributing to deterrence and solidarity among Member States facing existential threats. The asymmetry between the claim to strategic autonomy and the lack of an institutional architecture capable of militarily addressing serious internal threats undermines the very credibility of the European security project.

The structural limits of the military instrument

Given these benefits, an equally rigorous assessment is needed of what a European defence force cannot achieve, and the risks posed by its potential overexpansion. As established in previous chapters, jihadist terrorism in Europe is fuelled by dynamics such as local radicalization, prison recruitment, and urban social exclusion, factors that are intrinsically resistant to military logic. The perpetrators of the Vienna attack, for example, became radicalized in the Austrian penal system, just as the Nice attacker acted without external direction or paramilitary training. The solution to these threats lies rather in the quality of deradicalization programs, internal intelligence monitoring, the integration of criminal justice systems, and effective social policies. A European army cannot serve as a surrogate for any of these civilian functions.

The French experience of Operation Sentinelle is emblematic in this regard in its ambivalence. The permanent deployment of thousands of soldiers to protect sensitive sites has not prevented repeated attacks, although it has generated tensions over the appropriate use of armed forces for internal security and required intervention by the Council of State to limit excessive searches and detentions. Europeanizing this model would mean reproducing its critical issues on a large scale, adding the complication of a military deployment that escapes the full jurisdictional reach of the Court of Justice.

Finally, the accountability deficit associated with the special CSDP regime, characterized by unanimity in the Council and a marginal role for the European Parliament, poses a serious problem of democratic legitimacy. The contrast with the Area of Freedom, Security and Justice, where the Court of Justice exercises rigorous oversight of fundamental rights and the Parliament act as co-legislator, highlights a worrying constitutional asymmetry. Extending the area least

subject to democratic oversight to functions that profoundly impact civil liberties would represent a normative regression that the Union must evaluate with extreme caution.

V. The central answer: a conditional affirmative

The fundamental research question, aimed at determining to what extent a unified European defence force could enhance the Union's counterterrorism capacity, now finds an answer that reflects the analytical precision of the previous chapters. This response is articulated in an affirmative but conditional position on two counts, contrasted with a negative assessment on a third.

A European defence force built on the model of permanent operational integration envisaged by the current Treaties (corresponding to model 2 in the third chapter) could effectively strengthen the Union's capabilities in the domain of external and hybrid crises. It would significantly contribute to the dismantling of jihadist infrastructures abroad, the deterrence of state actors that exploit terrorist networks against European targets, and the coordinated management of major multi-state emergencies that exceed the current response capabilities of individual countries. These are concrete contributions that current intergovernmental agreements are structurally unable to offer with the same effectiveness.

Nonetheless, it should be noted that no European defence force is capable of addressing the architecture of failure identified in the second chapter. The systemic inadequacy of continental counterterrorism lies not in a lack of military capabilities, given that Member States collectively possess formidable armed forces, but rather in the fragmentation of intelligence and the weakness of proactive prevention mechanisms. Bridging the gap between the transnational nature of jihadist networks and the intergovernmental approach of the European response requires a qualitative transformation of the instruments of the Area of Freedom, Security and Justice. This evolution presupposes a transition to a truly integrated intelligence architecture, characterized by real-time cross-border analytical capabilities, data-sharing obligations that are no longer voluntary but binding, and a mandate for Europol that allows for direct investigative participation. At the same time, Eurojust needs to be strengthened to coordinate proactive judicial investigations rather than merely reactive prosecutions.

The negative structural aspect, however, concerns the threat in its dominant contemporary configuration. Attacks conducted by lone actors or small cells, often merely inspired by central organizations, currently represent the predominant form of jihadist violence in Europe. These incidents are largely perpetrated by European citizens whose radicalization occurs entirely within the Union's borders, following an operational logic that does not require the transnational logistics that a military force could interdict. For this specific type of threat, which constitutes the statistical majority of incidents documented in Europol's TE-SAT assessments since 2018, a European defence force has no real preventive function. In this context, appropriate responses must be civilian in nature and rooted in communities, focusing on counter-narratives, deradicalization programs, socioeconomic policies against marginalization, and social services capable of identifying those at risk before violence erupts.

VI. Theoretical Reflections: What the Evidence Reveals About the Logic of Integration

Beyond the specific issue of counterterrorism, this thesis offers some theoretical implications on the conditions under which integration is justified in sovereign domains and on the limits of securitization as a driver of institutional change.

First, securitization theory helps explain why every major attack trigger regulatory and institutional acceleration. However, the evidence also reveals a recurring limitation: the response tends to focus on the most visible and politically salient aspects of the previous failure, while the structural conditions for prevention remain more difficult to address and often underinvested. This poses a risk: adopting highly visible symbolic solutions that absorb political capital without addressing the endogenous core of the threat.

Second, multilevel governance clarifies why, despite an interdependent threat, counterterrorism cooperation remains predominantly intergovernmental. Security and defence touch on essential attributes of sovereignty. Functional necessity can push for deeper forms of coordination, but this rarely translates into constitutional transformations when distributional costs and internal constraints make true supranational integration politically impractical.

Finally, the constitutional limitations of the Treaty framework mean that effectiveness cannot be the sole criterion. The reservation clauses, unanimity, and limits on judicial review reflect constitutional choices regarding the distribution of coercive power in a non-state order. Any advancement in defence integration must therefore remain anchored to the consensus of Member States, parliamentary accountability, and credible forms of judicial review.

VII. A forward-looking perspective: selective integration with structural priority

The conclusions of this thesis suggest a strategy for the European security architecture in the next decade based on selective integration and structural priorities.

The priority remains strengthening the AFSJ, transforming counterterrorism cooperation from voluntary coordination to more binding operational integration, especially in terms of information sharing and joint risk assessment. Within this framework, military integration, in models compatible with the Treaties, can play a significant complementary role in addressing the external and hybrid dimensions of the threat, but it should not be presented as the central response.

If, and only if, mechanisms of democratic accountability and judicial review are strengthened, a limited role for the defence component can be constitutionally sustainable. Otherwise, the risks of accountability deficits outweigh the functional benefits.

Finally, a credible strategy must include a preventative dimension, which is systematically underestimated. Since the threat is largely endogenous, risk reduction also involves prevention policies, deradicalization programs, and interventions in prisons and communities. The key is not to idealize these tools, but to finally make them a "central part" of public policy, with adequate funding, empirical evaluations, and administrative continuity.

VIII. Concluding reflection

March 11, 2004, marked a turning point in Europe's perception of terrorism. Since then, the Union has undergone real and significant institutional development, but it has not been sufficient to bridge the gap between the transnational logic of the threat and the intergovernmental framework for response. Paris and Brussels have shown that this gap can be exploited even after significant reforms. The spread of low-tech attacks has shifted part of the problem toward internal radicalization, making prevention both more necessary and more complex.

A European defence force, built within constitutional limits and accompanied by strengthened democratic accountability, can contribute selectively, especially in the external and hybrid dimensions. However, it is not a structural solution to terrorism in Europe, and it risks becoming counterproductive if it absorbs resources and political attention to the detriment of the civilian instruments that constitute the crucial infrastructure of prevention.

The Union's task over the next decade is to pursue both selective defence integration and the strengthening of the AFSJ ecosystem, in a constitutionally sustainable manner tailored to the actual nature of the threat. This thesis has sought to provide the analytical foundations for such a response. What follows will depend on political choices, which rarely tolerate complexity but, in this field, pay a high price for simplifying it.

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